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Parliamentary Debates

VOL. XXXII

Parliamentary Debates

VOL. XXXII.

THE

Parliamentary Debates

FROM

THE YEAR

1803

TO THE PRESENT TIME:

FORMING A CONTINUATION OF THE WORK ENTITLED
"THE PARLIAMENTARY HISTORY OF ENGLAND FROM THE EARLIEST
PERIOD TO THE YEAR 1803."

PUBLISHED UNDER THE SUPERINTENDENCE OF

T. C. HANSARD.

VOL. XXXII.

COMPRISING THE PERIOD
FROM
THE FIRST DAY OF FEBRUARY,
TO
THE SIXTH DAY OF MARCH,
1816.

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1816.

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THE
Parliamentary Debates

During the Fourth Session of the Fifth Parliament of the United Kingdom of Great Britain and Ireland, appointed to meet at Westminster, the First Day of February 1816, in the Fifty-sixth Year of the Reign of His Majesty King GEORGE the Third [*Sess.* 1816.

HOUSE OF LORDS.

Thursday, February 1, 1816.

THE PRINCE REGENT'S SPEECH ON OPENING THE SESSION.] This day, in consequence of the indisposition of his royal highness the Prince Regent, the Session was opened by commission. The Lords Commissioners were, the archbishop of Canterbury, the Lord Chancellor, the duke of Montrose, the earl of Harrowby, and earl Bathurst. The gentleman usher of the Black Rod was then sent to desire the immediate attendance of the Commons. Soon afterwards the Speaker, accompanied by a number of members, came to the bar; when the Lord Chancellor, one of the said commissioners, made the following Speech to both Houses:

"My Lords and Gentlemen;

"We are commanded by his royal highness the Prince Regent, to express to you his deep regret at the continuance of his Majesty's lamented indisposition.

"The Prince Regent directs us to acquaint you, that he has had the greatest satisfaction in calling you together under circumstances which enable him to announce to you the restoration of peace throughout Europe.

"The splendid and decisive successes obtained by his Majesty's arms, and those of his Allies, had led, at an early period of the campaign, to the re-establishment of the authority of his most Christian Majesty in the capital of his dominions; and it has been since that time his Royal Highness's most earnest endeavour to promote such arrangements as appeared to him best calculated to provide for the lasting repose and security of Europe.

"In the adjustment of these arrangements, it was natural to expect that many difficulties would occur; but the Prince Regent trusts it will be found that, by moderation and firmness, they have been effectually surmounted.

"To the intimate union which has happily subsisted between the allied powers, the nations of the continent have twice owed their deliverance. His Royal Highness has no doubt that you will be sensible of the great importance of maintaining in its full force that alliance, from which so many advantages have already been derived, and which affords the best prospect of the continuance of peace.

"The Prince Regent has directed copies of the several Treaties and Conventions which have been concluded to be laid before you.

"The extraordinary situation in which the powers of Europe have been placed, from the circumstances which have attended the French Revolution, and more especially in consequence of the events of last year, has induced the Allies to adopt precautionary measures, which they consider as indispensably necessary for the general security.

"As his Royal Highness has concurred

in these measures, from a full conviction of their justice and sound policy, he relies confidently on your co-operation in such proceedings as may be necessary for carrying them into effect.

" Gentlemen of the House of Commons;

" The Prince Regent has directed the Estimates for the present year to be laid before you.

" His Royal Highness is happy to inform you, that the manufactures, commerce, and revenue of the United Kingdom are in a flourishing condition.

" The great exertions which you enabled him to make in the course of the last year, afforded the means of bringing the contest in which we were engaged to so glorious and speedy a termination.

" The Prince Regent laments the heavy pressure upon the country which such exertions could not fail to produce; and his Royal Highness has commanded us to assure you, that you may rely on every disposition on his part to concur in such measures of economy, as may be found consistent with the security of the country, and with that station which we occupy in Europe.

" My Lords and Gentlemen;

" The negociations which the Prince Regent announced to you, at the end of the last session of parliament, as being in progress with a view to a commercial arrangement between this country and the United States of America, have been brought to a satisfactory issue. His Royal Highness has given orders, that a copy of the Treaty which has been concluded shall be laid before you; and he confidently trusts, that the stipulations of it will prove advantageous to the interests of both countries, and cement the good understanding which so happily subsists between them.

" The Prince Regent has commanded us to inform you, that the hostilities in which we have been involved in the island of Ceylon, and on the continent of India, have been attended with decisive success.

" Those in Ceylon have terminated in an arrangement highly honourable to the British character, and which cannot fail to augment the security and internal prosperity of that valuable possession.

" The operations in India have led to an armistice, which gives reason to hope that a peace may have been concluded on terms advantageous to our interests in that part of the world.

" At the close of a contest so extensive and momentous as that in which we have been so long engaged in Europe, and which has exalted the character and military renown of the British nation beyond all former example, the Prince Regent cannot but feel, that under Providence he is indebted for the success which has attended his exertions, to the wisdom and firmness of parliament, and to the perseverence and public spirit of his Majesty's people.

" It will be the Prince Regent's constant endeavour to maintain, by the justice and moderation of his conduct, the high character which this country has acquired amongst the nations of the world: and his Royal Highness has directed us to express his sincere and earnest hope, that the same union amongst ourselves, which has enabled us to surmount so many dangers, and has brought this eventful struggle to so auspicious an issue, may now animate us in peace, and induce us cordially to co-operate in all those measures which may best manifest our gratitude for the Divine protection, and most effectually promote the prosperity and happiness of our country."

After the delivery of the Speech, the Commons retired, and the following newly created peers took the oaths and their seats: lord Francis Spencer, on being created Baron Churchill; lord Granville Levison Gower, on being created Viscount Granville; general Harris, on being created Baron Harris; viscount Melbourne of Ireland, on being created Baron Melbourne; Doctor Ryder, on being created Bishop of Gloucester; lord Brownlow, on being created Earl Brownlow; and lord Grimston, on being created Earl Verulam. Their lordships then adjourned till five o'clock. When the House had resumed, the Speech of the Lords Commissioners was again read by the Lord Chancellor, and also by the Clerk at the table.

The Marquis of *Huntley* rose to move the Address in answer to the Speech of his Royal Highness. He began by expressing his conviction, that the Speech must have afforded the highest satisfaction to every one who had heard it, and that there was only one thing which must be heard with regret; and that was, the continuance of his Majesty's indisposition. Whoever considered the state of affairs on the continent at one period of the last year, could not but hail with the highest satisfaction the restoration of the blessings of peace, and its restoration in a manner the best calculated to ensure the long continuance of tranquillity. Last year the demon of ambition had effected his escape from the place of his confinement, and had returned to France, to embroil the continent, and engage the nations of Europe in new wars, and fresh slaughter and devastation. Upon this occasion the armies of Europe again united for the common cause, and the different nations, animated as it were by one mind and one soul, combined for the restoration of the blessings of peace and good order, and the reign of darkness was soon destroyed. The noble marquis then highly complimented his royal highness the Commander-in-chief upon the very efficient state of the army, whose exertions had been attended with such glorious success. We all knew the value of that royal person, who was entitled to the best thanks of his country. By the valour and discipline of the army, under the conduct of that greatest of commanders, whose glory rising in Spain had still continued brightening until it reached its highest splendour in the battle of Waterloo, a better prospect now opened upon Europe, and the hopes of a long continuation of peace might be reasonably entertained. If the advantages of this situation of affairs was not as yet so well understood in France as it ought to be, it was to be hoped that much time would not elapse before the good effects of the change would there too be universally felt and acknowledged. The noble marquis next expressed his regret that the great minister with whom the system of perseverance and exertion had originated, was not now alive to witness its splendid success. The country, in the course of this long and arduous contest, had certainly been subjected to heavy burthens and great privations. These it would be the business of the Prince Regent's ministers to alleviate as much as circumstances would permit; and he had no doubt that in this, as well as in all other respects, they would do all that persons in their situation could do for the benefit of the nation. Parliament likewise, he trusted, would unite its endeavours with those of the Prince and ministers, to promote the welfare of the agricultural and commercial interests, so that, if possible, there might not be one heavy heart in the British dominions. Not being accustomed to public speaking, he could not so well express the sentiments which the Speech of his royal highness the Prince Regent was calculated to inspire. He would however yield to no man in attachment to his Majesty and his family, and to his country. The noble marquis concluded by moving an Address, which was, as usual, an echo of the Speech.

Lord *Calthorpe* rose to second the Address. He said that the speech from the throne, announcing as it did, the restoration of peace in Europe, had notified so great a blessing to this country and to mankind in general, as could not fail to excite the warmest congratulations, and to awaken, by an immediate impulse, the best feelings of the heart. He trusted that when the terms of the Treaties should be fully examined, and the transactions to be fully investigated, it would be found, that every means had been taken to establish the continuance of peace, as far as human foresight could provide for it—that the councils of this country and of her allies, were not directed by any narrow views of local interests—that they proceeded upon the largest scale, and were directed to the most extensive objects. This was a sort of pledge, that proper caution would be observed in providing for the future tranquillity of Europe. The noble lord said he was induced to cherish this hope still farther, from the spirit of forbearance that equally marked their character—a forbearance which extended itself even to our armies, and changed those who were usually but instruments of vengeance into guardians of the properties of that people to whom they were originally opposed; as if it was intended to show the Continent, not only how far Great Britain could forbear in prosperity, but how incapable she was of being provoked by those threats of destruction so often denounced against her. Another cause of exultation was to be deduced from the spirit of philanthropy in which the Slave Trade had been regarded. Whatever differences of opinion might arise on the other points, all would rejoice in the great recognition of African freedom. But the Prince Regent's ministers had not only discharged their duty in prosecuting the war with vigour, and to a successful issue, but they had, by the providing for the maintenance of a large army in France, contributed in the most effectual way, to the permanence of tranquillity. The concurrence too, of the French government in those measures afforded an expectation that the good understanding between both countries was likely to last; at least so far as was connected with the disposition of the reigning family. The noble lord said he could not sit down without expressing the joy and satisfaction which he felt in contemplating the situation and prospect now held out to this country. There were, indeed, parts of our domestic system that had suffered considerably from the long continuance and demands of the war; but he trusted that that consideration would rather unite all in the feeling of happiness with which they should hail the return of peace. When they reflected that those difficulties had grown out of the unexampled exertions that were made by this country, they would probably, instead of being discouraged in their hopes, be led to enhance their estimate of the blessings of tranquillity. This, combined with the assurance that such measures as were calculated to afford relief would be adopted to every practicable extent, would leave them every thing to rejoice in at the happy issue with which their efforts were at length crowned. Upon these grounds, he should second the address which had been moved by the noble marquis.

Lord *Grenville* said:—It gives me sincere pleasure, my lords, to find, that there is not a single word in the Speech from the throne which does not meet with my most hearty concurrence; and I trust that the Address which has been moved in consequence of it, will meet the unanimous approbation of this House. Under such circumstances, I should think it scarcely necessary to trouble your lordships, did I not feel that it was a duty incumbent upon us all to express our joy and gratitude to Providence, that the new war, in which we were so unexpectedly and so unwillingly involved, and the result of which for some time, and to some minds, appeared so doubtful, has terminated in a success unexampled in the annals of the world. Such a triumph cannot fail to excite the most vivid emotions of joy and gratitude in my breast;—joy, that the calamities of war, at which we all shuddered, have been concluded—gratitude, that the blessings of peace, for which we all panted, have been secured. Those blessings, I trust, we shall continue to enjoy; and, in the hope that every measure will be adopted to procure their continuance, it is my ardent wish that this Address should meet with the undivided assent of your lordships. I can no less refrain from the expression of my satisfaction at the great leading feature of the situation of our country; I allude to the means by which the peace, at which I rejoice, has been obtained: it has been restored to us by what, I confess, always appeared to me the most probable mode, both of its restoration and continuance—the re-establishment of that government in France which by commotion had been overthrown, and by violence was excluded. These are the two main points upon which we are called upon this night to come to a vote; and I should have been wanting in justice to my own feelings, if I had not so far obtruded myself upon the notice of the House (however unnecessarily with reference to the decision), as to request its attention to the sentiments I have just expressed. The Speech with great propriety refers to future communications to be made from the throne; and the Address moved by the noble marquis is carefully and wisely reserved in the expressions it employs respecting the contents of papers not yet upon our table. The noble lord who seconded the Address, with equal propriety, has stated (as I was glad to hear a distinct statement, though if he had been silent the fact would have been implied) that when the documents are submitted to its consideration, it will be the duty of the House to consider with attention the nature of their contents, and the terms of the arrangements that have been completed, and then to offer to the sovereign the result of their deliberations. When the noble earl opposite, shall by direction of the Crown, submit them to our consideration, I cannot but hope that their contents will be as satisfactory as the vote with which we shall conclude the business of this evening, in favour of the Address.

The Marquis of *Lansdowne* said:—My

lords, I feel it my duty to offer a few words, because I find it impossible for me to concur in the Address proposed for your adoption, as I most anxiously wish, without previously stating, more with a view to future discussions than to the present question, the limits within which I must confine my approbation. With respect to the Address itself, I admit with my noble friend, that it is most temperately and judiciously worded, and that the speeches delivered, both by the noble marquis and by the noble baron, have been strictly confined within limits calculated to ensure the general acquiescence of the House; and, within certain bounds, I can have no hesitation in expressing my approbation both of the one and of the other. To the extent of the warmest congratulations on the splendid success with which our arms have been crowned—to the extent of the expression of sincere joy at the overthrow of that dominion established by military power, and which sought to spread itself over surrounding nations by the terror of its arms, the Speech and the Address meet with my sincere and unqualified approbation; because I feel that no subsequent events that have occurred, or which could have occurred, would have power to shake that opinion, which on other occasions I have taken the liberty of expressing, and which I have always been prepared to support. As to the objects or advantages since obtained—as to the prospects to which we are now enabled to look forward—as to the probability of future tranquillity in Europe, and the final attainment of those great objects for which the war was originally undertaken; I think the House is not at present in a state of information mature enough for the expression of an opinion. Whether it be in the power of ministers to lay upon our table such documents as will enable us to form a sound judgment, I am not able to decide; but I am glad to find that it is the intention of the noble earl at least to supply that information of which he is possessed, and which is capable of production, to put your lordships in a situation to deliberate upon topics of such magnitude; and until I have an opportunity of duly weighing them, I beg leave to refrain from delivering any opinion as to the objects which they may purport to have attained. Having said this much regarding the Address, with the necessary reserve upon great political questions on which we are not yet sufficiently informed, I cannot sit down without at the same time stating, that I concur with the most cordial satisfaction in that part of the Address which refers more particularly to the present state of our country, and to the imperious necessity which exists of making sacrifices for the attainment of great ulterior objects—which sacrifices we are all called upon proportionably to make. I beg, therefore, to accept (and I trust I may so accept it) what is said upon this subject as a distinct pledge, on the part of his Majesty's government, that there is every disposition to concur with the other branches of the Legislature in all practicable retrenchments of public expenditure; retrenchments that the condition of the country at the present moment renders immediately necessary. I hope that all public establishments that can possibly admit of reduction, will be restricted to limits consistent with necessary economy; and the expression of the decided sentiment of this House on this important subject will have the effect, no doubt, of directing the attention of the country to it; if indeed, its attention has not already been fixed upon it, and if, at the present moment, on the meeting of parliament, it does not impatiently look towards parliament, for a remedy of the alarming distresses prevailing among all classes of the community. I trust we shall soon witness the restoration of comfort and happiness among the people, by the adoption of the only solid remedy for the evils of which they now complain—the restoration of that relation and proportion between the burthens and resources of the country which some years ago existed, and which has of late been destroyed, partly by the course of political events, and partly by the introduction of an artificial currency. This subject, your lordships must be well aware, imperiously calls for the immediate, anxious, and patient investigation of the legislature. I trust, therefore, no unnecessary delay will take place, and that his Majesty's ministers will give their cordial aid in a complete review of all the establishments of the country, with a steady determination to shun no inquiry, and to avoid all expenses not positively necessary for the activity of the functions of government. In this view of that portion of the Address, I do consider it as a pledge on the part of those who have the best means of redeeming it; and it has therefore not only my sincere concurrence, but my most hearty approbation, in the confidence that it is not merely an empty promise, but a firm and solid resolution, seconded by all the branches of the legislature, and hailed with gratitude by the expecting country. With these explanations, I shall with pleasure add my voice to that of my noble friend in supporting this Address, reserving to myself the liberty of expressing a more qualified or a different opinion upon an inspection of the details, when the noble earl shall think fit to lay them upon the table.

The Earl of *Liverpool* said:—My lords, I am desirous of saying a few words, more to accommodate myself to the convenience of the House, than to advert to the immediate question before it, especially when I am given to understand, with much pleasure, that the Address is not likely to meet with any discordance of opinion. That Address I consider exactly in the light in which it is viewed by the two noble lords who spoke last: it pledges your lordships to no opinion with respect to the arrangements consequent upon the re-establishment of tranquillity, until the papers shall have been regularly brought under your consideration: it only speaks in terms of general congratulation on the restoration of peace, and on the present prospects of the country, leaving the House entirely at liberty to form hereafter a free and unbiassed judgment, when it shall be in possession of the details. As to some of the topics upon which the noble lords have touched, and particularly the noble marquis, towards the conclusion of what fell from him, I should not perhaps, under any circumstances, feel it necessary, in the present stage, to go at large into them; but, considering the turn the discussion has taken, more than a cursory notice would not, in my judgment, be warranted. I have no difficulty, however, in stating, with reference to the existing establishments, and to the future expenditure of the country, that the servants of the Prince Regent will be ready to enter upon the discussion of the question whenever it shall regularly be brought before the House, not in generals only, by stating what are the leading principles that will guide them, and by assertions of their anxiety to adopt a system of economy in every branch of the government of the country; but they will be most willing to give all details in their power relative to the different departments, in order to show that they have applied their attention to each particular portion of the mighty whole, and that it is their anxious desire to adopt every plan of restriction and economy which can be introduced into our system, consistently with the safety of the country, and with that station which she now holds, and which she is bound to hold, among the nations of Europe. Having stated this much, with regard to the intermediate matter of discussion, it may be convenient for me to state (and this was my principal object in rising), that to-morrow I expect to be able to lay upon the table copies of the different treaties that have been concluded; and it will then be proposed that that day fortnight shall be fixed for taking into consideration the definitive treaty with France, and the other arrangements dependent upon it. That interval, I apprehend, will afford ample time for the perusal of the papers, more especially as the general nature and object of them are known to most noble lords through other channels. As other matters of great importance remain to be discussed as early as convenient, I apprehend it will not be expedient to delay, beyond the day I have stated, the consideration of the treaty with France. I cannot conclude without congratulating the House on the general concurrence that is likely to attend the Address: it was certainly drawn up with a view as far as possible, to obviate a difference of opinion using only general terms, and leaving it open to all who voted in its favour to exercise a judgment, and to form an opinion more deliberately upon the details, when they are supplied from the offices of government. All that is now asked of the House is a general congratulation on the restoration of peace, and we shall afterwards apply ourselves diligently, steadily, and soberly, to the important questions relating to the present state of the country with a view to form some regular system of economy, without being led astray by wild and visionary schemes for inapplicable and injudicious remedies. The subject will be fairly entertained, I trust, in all its extended bearings; and the result, duly attending to great and important interests, will, I have no doubt, meet with the concurrence of the House, and with the approbation of the country.

Lord *Holland*, said:—After what has passed on both sides of the House, it is, my lords, some satisfaction to me that I am able to give my vote for the Address in its present form. I concur in most of the topics to which it adverts, and I am also ready to acknowledge, with my noble friends, that both the Speech and the Address seem to have been carefully and properly framed, to avoid dissentient opinions. It would be idle for me to dwell upon those points on which we are all agreed; but I feel that there would be a want of sincerity on my part, a disingenuousness of which I should be sorry to be guilty, if I did not say, that when I reserve to myself the right of correcting my judgment, and of forming different opinions upon subjects necessarily glanced at in the Address, I mean to apply that reserve, not merely to matters of detail, on which we are at present comparatively in ignorance, but even to some of the matters stated and admitted, in the course of the debate, to be subjects of congratulation. Having myself from the first entertained a decided opinion upon the original impolicy, I may say upon the original wickedness and unjustifiableness of the principles on which the war was commenced, now it has been terminated, if the object ought not to have been pursued, I can scarcely even pledge myself to a congratulation upon the attainment of an object by means that I think ought never to have been employed. No man can refuse to rejoice that the blessings of peace have returned to a country from which they had so long been absent; but I cannot but lament that they were ever so unnecessarily and unjustifiably expelled. Nor upon another point, called the second feature of our situation, can I pledge myself to congratulate the Prince Regent upon the restoration of his Most Christian Majesty to the throne of France, until I am put in possession of the terms and conditions under which that object has been accomplished. Furthermore, as to the prospects which are held out to this country and to Europe for the future, I should be playing an insincere and a culpable part, if I could give my vote, unexplained, in favour of this Address, implying a persuasion on my mind that there was a reasonable and fair hope of protracted tranquillity to this country, and permanent peace to the continent. On the re-establishment of peace, as peace, undoubtedly I concur with my noble friend who spoke first from this side of the House. There is nothing that could give me more pleasure and heartfelt satisfaction than the conclusion of peace, and much more so, if there be a prospect of lasting harmony and repose; but yet I have not sufficient information to enable me to form a judgment upon the subject. I must first be made acquainted with facts. Let me know what are the precautionary measures that have been adopted and that are referred to in the Address, what is the object of them, and what price has been paid for the peace on which we are to offer congratulations. I must first receive answers upon these points, before I am able to give a definitive and satisfactory decision. As sincerely and warmly as any man will I congratulate his Royal Highness on the brilliant and most effectual display of discipline and courage by British soldiers. Who is there that is not astonished at their achievements, and proportionably proud of their constancy and bravery against a nation that has more particularly and assiduously cultivated those virtues? But I cannot blindly undertake to approve of all that has been done to attain peace, which, as peace, is undoubtedly desirable. I may congratulate the Sovereign and the country on the peace with America, and on the reasonable prospect there may be of its continuance; but I must reserve to myself the decision, how far that object has been accomplished. I have heard, I think I have seen in the public papers, that it was said, at the opening of the war, that it was better to engage even in an arduous and dangerous contest, than to observe, under the mere name of peace, what, in fact, was merely an armed truce. I must know, before I decide, whether, after passing through all the miseries of a long war, we have not at last arrived precisely at the point from which we started; I must know, before I rejoice at peace, whether it will be better than an armed truce. I forget whether it was sir Andrew Mitchell, or sir Charles Hanbury Williams, who having journeyed to Petersburgh, and being asked by the Empress how he liked the Russian roads and Russian travelling, replied, that he had travelled two hundred miles upon a bridge, which had only conducted him to the water at last. Before I congratulate the Prince Regent on a peace, let me know what it is in fact we have obtained, and what we have paid for it. The wording of the Address is cautious I admit; but it requires equal caution to take care that the House is not too far pledged to be able to retract. With regard to the time to be allowed for the perusal of the treaties, I would suggest that the delay of another week might be advisable, if it did not inconveniently postpone matters of much consequence.

Earl *Grosvenor.*—I wish, my lords, to say a few words, for the purpose of subjoining my congratulations to those of my noble friends, and of the nation at large. I give them the more willingly, as I learn from the noble earl opposite, that, early in the present session, the strictest attention will be paid to the various departments of the public expenditure. I am quite sure, if his Majesty's ministers act up to the sentiments expressed by their noble colleague, that a great deal may be accomplished for the relief of the country; and that the success of our arms abroad will be most materially seconded by scarcely less important, though less splendid exertions at home. Many abuses have crept into the system of government for which a remedy must be speedily and effectually provided. I am convinced that nothing that has passed this night will give so much satisfaction out of doors as the declaration of the noble earl, in the hope that it will be sincerely adhered to; and I trust, that, having given this pledge, the noble earl will lose no time, and postpone no exertion for the accomplishment of his purpose.

The Address was then agreed to, and ordered to be presented to his royal highness the Prince Regent by the Lords with white staves.

The earl of Liverpool after expressing his regret at the continued illness of lord Walsingham, and his high sense of the ability and attention manifested by the earl of Shaftsbury, as chairman of the Committees during the last session, moved that the earl of Shaftsbury be appointed Chairman of the Committees. The Lord Chancellor declared a similar opinion of the ability with which the earl of Shaftsbury had filled the chair of the Committees. The motion was agreed to *nem. dis.* Upon which the earl of Shaftsbury returned thanks for the honour thus conferred upon him, and trusted his future conduct in that situation would meet with the approbation of their lordships.

HOUSE OF COMMONS.

Thursday, February 1.

This being the day appointed for the meeting of parliament, the Speaker took the chair a little before two o'clock, when the gentleman usher of the Black Rod appeared, and desired the immediate attendance of the House in the House of Peers to hear the commission read. Accordingly the House with the Speaker, went up to the House of Peers.

Answers of the Duke of Wellington and Prince Blucher to the Vote of Thanks.] Being returned from the House of Peers, Mr. Speaker acquainted the House, that he had received from field marshal the duke of Wellington the following Letters, in return to the thanks of this House, signified by Mr. Speaker, in obedience to their commands of the 23rd day of June last.

Paris, July 9th, 1815.

"Sir;—I have had the honour of receiving your letter of the 23rd June, with which you have enclosed the unanimous resolutions of the House of Commons of the same day, by which the House have expressed their approbation of the conduct of the general officers, officers, and troops, composing the army under my command, and of myself and of field-marshal Prince Blucher, and of the Prussian army, in the battle of the 18th June.

"I beg that you will assure the House that I entertain a high and just sense of the honour which they have conferred upon me, and that I beg them to accept my best thanks for this fresh mark of the favour with which they receive my services and those of the troops under my command.

"According to the orders of the House, I communicated to field-marshal Prince Blucher the Resolution of the House regarding his conduct, and that of the Prussian army; and I have the honour to enclose the copy of his letter to me upon this occasion, which will best explain his highness's sentiments.

"I cannot conclude without requesting you, Sir, to accept my thanks for the handsome terms in which you have conveyed me the sense of the House. I have the honour to be, with the highest repect, your most obedient and faithful humble servant, Wellington."

"The right hon. Charles Abbot,
Speaker of the House of
Commons, &c. &c. &c."

"Les deux chambres du parlement Britannique ayant données leurs remerciments à moi, et à l'armée sous mes ordres, pour notre assistance à la bataille de la Belle Alliance, c'est un honneur dont nous sommes profondément pénétrés, nous nous sentons extrêmement recompensés pour nos efforts par l'approbation d'une nation vaillante et éclairée, et nous esperons avec confiance que la victoire commune de ces deux nations, contribuera bien puissament de consolider encore de plus, d'une manière nullement troublée a l'avenir, les liens entre elles.

"Nous n'ignorons pas, mylord, que la relation de votre Altesse, sur notre conduite du 18, a été la cause que les deux chambres du parlement ont pris la résolution si honorable pour moi et pour l'armée sous mes ordres, et c'est moi qui vous prie d'agréer nos remerciments pour cela.

"Ce sont les sentiments du respect le plus fondé et d'une fidèle fraternité d'armes, que j'ai l'honneur d'être, de votre altesse le très-humble ami et serviteur,

(*Signé*) BLUCHER."

"*A Saint Cloud*, 9 *Juilet*, 1815."

THE PRINCE REGENT'S SPEECH ON OPENING THE SESSION]. The Speaker reported, that the House had been at the House of Peers, at the desire of the Lords Commissioners appointed under the Great Seal for opening and holding this present parliament; and that the Lord Chancellor, being one of the said Commissioners made a Speech to both Houses; of which, he had, to prevent mistakes, obtained a copy, which he read to the House [See p. 1.]

Sir *Thomas Dyke Acland* then rose to move an address in answer to the Speech from the throne, which the House had just heard read. He began by observing, that it was not his original intention to apologise to the House for the duty he had upon this occasion undertaken. It was one connected with the most flattering public considerations, and introduced on the proudest day that any member of that House had had the opportunity of ever witnessing. Since, however, he had determined on accepting the honour of making the present motion, he was more forcibly struck with its importance than at first sight he had been, and, consequently, more impressed with his own inability to do justice to so glorious a theme. The session now happily opened with the assurance of a lasting peace—a peace not alone for Europe, but for the whole civilised world. He sincerely regretted that his royal highness the Prince Regent was prevented, by indisposition, from making this pleasing communication in person to parliament, and receiving in return from his people those heartfelt congratulations which such tidings would elicit from those whose invincible spirit and perseverance had attained so glorious a result. It was also a matter of regret, that the continuance of his Majesty's indisposition rendered it impossible for him to participate, as he would otherwise deeply have done, in the universal joy of the present times.

But he would pass to the more pleasing subject of congratulating the House on the blessings of peace. This was a sound which had long become a stranger to their ears, and when the documents connected with it were laid before them, if they were—as he was persuaded they would be—of a nature to add to the character and honour of the country, then the terms in the Address with which he should conclude, would not be found to have overrated the great advantages obtained by the nation from this measure. The House would permit him to call to its recollection, that for the last two years the great object of the councils, not only of this country, but of Europe, was peace, and peace alone. This was only to be obtained by the renunciation, on the part of France, of that unjust frenzy for conquest, which for the last twenty years had spread desolation over Europe. It was in this spirit of sincere pacification that the Allies first entered the conquered capital of France; their only security for the attainment of this desirable object was, to remove from the throne of that empire that man, who was no less the scourge of his own country, than of the rest of Europe. It was true, and also to be regretted, that the Allies had not then availed themselves of the facilities which their means afforded, of removing the works of art, which were the spoils of other countries. But their policy was more than liberal upon that occasion; they met France on an equality of terms; they left her a greater extent of country than she possessed before she sent from her bosom that fire which had nearly consumed Europe. Even the national rivalship of this country sought no more than what was strictly and honourably right, and limited its views to the forbearance of the allied powers.

Such was the feeling which pervaded the Congress assembled at Vienna to heal those grievances, and to repair that disorganization which France had wantonly caused, and yet she was herself summoned to take part and to co-operate in those important deliberations. The potentates there met in good faith, to restore to each country the undisturbed enjoyment of its proper possessions. They were not long employed in this generous and pacific work, when the disturber of the world burst from his retirement—not captivity. He appeared again in France, and re-entered Paris with a sort of military ovation, triumphing, in fact, over the apathy of the people, and haughtily showing to indignant Europe the sad spectacle of an unprincipled army, whose insatiate lust for conquest was still in full action. The people of England, of Europe, saw this proceeding; they felt it as became men of honest minds, and cordially united in the common cause. They used their best exertions to put down the military system that re-appeared in France, and adopted the manly, energetic, and eloquent sentiments of a right hon. gentleman, not now in his place (Mr. Grattan), who had spent a long and honourable public life in endeavouring to establish peace abroad, and to conciliate contending opinions at home. In adopting such a rule of conduct, they acted wisely; and thanks to Almighty God, who vouchsafed to crown it with success on the plains of Waterloo! It was that sort of contest, in which the genius of good and evil struggled for pre-eminence. The one party animated by honour, the other led on by despair. The conflict was, doubtless, dreadful; and, perhaps, there was only one man, and but the troops of one nation, who were capable of achieving such a victory. The duke of Wellington, upon that occasion, added an unfading wreath to his laurelled brow, and surpassed all his former glories in the splendor of his last action—(Loud cries of Hear, hear!) Seldom, if ever was there a battle attended by such important advantages. It replaced the king of France upon his throne, and restored peace to Europe. It drove Buonaparté to a second abdication. He disappeared; and even then, although his abode was unknown, and no man could assure himself, that the chieftain might not again burst from his retreat, and convulse the world—even then this victory was declared matchless in its value. But what did it not become, when the object of our hostility alone appeared, not indeed with war and terror in his train, but as a prisoner begging admission into that country which had ever been his deadliest enemy? To a generous mind, fallen grandeur was always a painful sight, and one could not refrain from moralising at seeing Buonaparté seeking an asylum in that nation, to the annihilation of whose interest he had invariably directed his worst hostility, and at the same time pronouncing her "the most constant and most generous of his enemies." The course pursued by his Majesty's ministers upon that interesting occasion, was a fit object of praise—their bitter enemy was in their hands, and they treated him with all the kindness of which his situation was susceptible; they did not, indeed, forget the public safety, nor overlook the proper caution, which made it true policy to guard against the revival of any hope, either in their prisoner or his adherents, of again having the power to disturb the repose of Europe.

Such was the course of events soon after Parliament had last separated. The principal object in which Europe was then engaged was the restoration of the Bourbon family, and the completion of such arrangements as were likely to ensure the general tranquillity. The honourable baronet then called the attention of the House to that part of his Royal Highness's Speech which referred to the precautionary measures adopted by this country on the continent, in conjunction with her Allies; some circumstances connected with which were, he thought, fit subjects of congratulation. The person now on the throne of France, was one whom we had yet no reason to suspect of bad faith, and whose character at least afforded us a prospect (though, God knew the experience of the past ought to repress all sanguine expectations!) of something like a lasting peace. It was, however, desirable to have more solid security than individual disposition, and at the same time not to require more than was strictly necessary. Experience showed the necessity of leaving no loose power in France, and of retaining in our own hands a sufficiency to repel any attempt at re-action. It was also essential that the cause of justice should not be forgotten. In this view the restitution of the pictures and statues which had been rifled from the nations of Europe, in direct violation of the practice of modern war, was become a duty. Those trophies were to disappear, which we had not the courage to take from a haughty soldiery at the first occupation of Paris. This was due to the Allies, but more especially to France herself, who was thereby prevented from having before her eyes the fruits of her conquests and unjust aggression. When the papers connected with this restitution were laid before Parliament, the country would have reason to applaud the firmness of the British negotiator. It was extremely natural for the veteran leader of the Prussian armies to have said, on his arrival in Paris—"Those works are now mine—no matter what were your claims or titles to their possession—the right of conquest has made them change masters, and they no longer are identified with your property." But what was the conduct of the British Government on that occasion? Its representative, in his intermediation, maintained on the part of his country a high-minded disinterestedness. He became the honest advocate of the weak and friendless. Of all the wondrous works of art that formed the plunder, and any of which would have been a splendid ornament for a nation like this, not one was stipulated for England—a hint would have been sufficient to ensure the present, and the minister nobly disdained to give it—he satisfied himself with giving to France, in the words of our great Commander, "a moral lesson," which she wanted, and found his reward in administering justice to the real owners of the plundered property.

It was scarcely necessary to remind the House, that in all the measures taken to ensure the Peace, England put in no claim beyond what she had stipulated for, and obtained by the previous Treaty of Paris. She sought safety, not aggrandizement; and it was therefore, that he did not hesitate to call for the concurrence of the House in the congratulatory Address to the Prince Regent, which he was about to move upon the arrival of so glorious an era. They would, he was persuaded, agree with his Royal Highness, that the history of the country presented no equal moment of proud record. Perhaps the only period which could at all be brought into comparison with the present, was during the reign of queen Anne. We then, as on the late occasion, obtained glory for our arms on the continent; we then, as on the late occasion, opposed ambition, and in the same country. A British general was also the undisputed hero of the field, and his prowess had led to general peace. It was worthy of remark in taking this retrospective glance, that the peace effected at the glorious epoch to which he alluded, was followed by a period of tranquillity for twenty-five years. This was a happy omen in their present prospects. The only point of difference between the parties of that day, was an opinion maintained by some, that better terms might have been earlier commanded. Would any man in that House hazard such an opinion on the present Treaty? Assuredly not. There was one point which he had nearly forgotten, in alluding to the former period of our glory. It was to that part of the Treaty of Utrecht in which England stipulated, by the Assiento Contract, for a slave monopoly of thirty years. What a gratifying contrast to such a stipulation did not her recent conduct present, in which, much to her honour and character, she for ever wrested the traffic in slaves from France, who seemed inclined to prolong it! It was impossible not to feel a proud gratification at this happy change in the policy of England, in a measure so vitally affecting the best interests of humanity.

The hon. baronet thought, then, that he had laid sufficient grounds for calling upon the House to address the Prince Regent in terms of warm acknowledgment, at the happy era which had now arrived. He was convinced the general sense of the nation would echo the voice of its representatives, in paying this just tribute to his Royal Highness. There was one point in the Speech of the Prince Regent, which certainly called forth the manifestation of universal sympathy—it was that which referred to the commercial and agricultural difficulties and distresses which at present prevailed among the community. But these embarrassments were the natural result of recent events. Besides, when the public considered the present crisis, they could not fairly judge of its character without looking at the tremendous evils from which they had escaped. Suppose, instead of standing as we now stood, an earlier moment had been seized of making a treaty with the late ruler of France, would real and *bonâ fide* repose have been the consequence of such a step; or would it not, to use the language of the right hon. gentleman already alluded to, have been "an apparent peace, and a real war?" If such a peace had unhappily been made to suit the interest of Buonaparté, this country would soon have had reason to repent its misplaced confidence. Let the country look fairly at its present situation, and calmly contemplate its whole bearings, and reflect, that it was not the part of wise men to complain, that the incapacity of entering into the topics afforded by the Prince Regent's most gracious Speech, in a more able or eloquent manner than that in which they had been treated by the hon. baronet. But there were a few points to which he was desirous of calling the attention of the House. In the first place, he concurred in lamenting the continued indisposition of our beloved Sovereign; and though he regretted his own inability to expatiate on the situation of this country, with as much eloquence as the subject deserved, yet was that situation so proud, as to need little more than the simple eloquence of unsophisticated truth. If we looked back but a few months, and entered into the situation in which this country was then placed; if we considered the perils we had escaped, and the anxieties from which we had been relieved; and if in considering these things, the uncertainty of all human affairs—as it could not fail to do—forced itself on our imagination, we should say that surely this was not a time for congratulations of an ordinary nature, for the common descant on the valour of troops, the prudence of officers, and the steadiness of naval and military discipline; but our congratulations should turn on the brightened prospects of the country—on a well-secured peace, the result, after a long and anxious conflict, of energy and decision in our councils and skill in that great commander to whom, under Providence, this result was more immediately to be attributed. He hoped he should be forgiven for alluding to this illustrious individual; but when we called to our recollection the armies of France dispersed and subdued, Napoleon conquered and humiliated, it was to him we were indebted for the proudest era that this country had ever known. He should contrast the present peace with that which was concluded in the year 1802. Buonaparté was at that time entering into treaties for no other purpose than that of violating them; he was forming alliances hostile to Great Britain; our prospects on every side were gloomy, and the peace in itself precarious and uncertain. Now we had obtained the reward of our firmness and perseverance; we had reaped the harvest of all our exertions. By our example, Europe had recovered from the slavery and devastation of which, during the last twenty years, she had been the devoted victim; and though he was far from wishing to trample on a fallen foe, yet he could not, without proud satisfaction, call to his recollection some of the circumstances that marked the humiliation of our bitterest enemy. When he beheld him volunteering his surrender, and relying on the magnanimity of that nation he had most offended—when he beheld him approaching, as a prisoner, that soil he once dreamt of beholding with other hopes, he could not but consider the contrast gratifying to every English heart; and he felt himself called upon to do justice to the noble lord opposite (lord Castlereagh), and to the other members of administration. It was to them, to their councils and their firmness, that we owed the results that had been obtained; and, for his part, he should always consider it a matter of exultation and triumph that he had lived at such a period, and had supported such a cause. It was a gratifying thought that this country had become the rallying point of justice and legitimacy. Nor was it to Europe alone that our successes had been confined, or the northern hemisphere the only theatre of our glory. In Candy a most execrable tyrant had been dethroned, and the termination of the war in Nepaul afforded a distinct subject of congratulation. These circumstances, though lost in the general blaze of splendid success, were not without their share of importance. Our eastern empire, from which we derived so many advantages, had thereby been placed in a state of security that promised the happiest results for the future. He would ask, if any one who recollected the horrors which Europe had suffered during the last twenty years, the slaughters that had raged, and the millions of victims that had been immolated, could consider these things, and not be thankful for the blessings we enjoyed? Secure in the protection of our immortal constitution, we had heard the thunder rolling at a distance, and had beheld unhurt the flash that darted destruction. It was true that we had not enjoyed this blessing unalloyed with evil: the privations we had endured were great and manifold. But what Englishman was there, who would not consider these sacrifices as light in comparison of the benefits we had acquired—benefits that would be entailed to his latest posterity? Who would not feel proud at our political prospects—who would not exult at the glories we had acquired? Alone and unsupported, in the midst of general defeat and consternation, we had stemmed the torrent of despotism, and checked the career of the conqueror. Alone and unsupported, England had, for years, been the rallying point of legitimate government—the champion of rational liberty—and the defender of national independance. But if any there were who entertained different sentiments as to the necessary sacrifices we had made for the attainment of these important objects, let them at least recollect the dangers we had passed, the difficulties we had surmounted, and contrast the situation we now hold with that in which we might have been placed, had our deadliest foe prevailed in the contest. The hon. gentleman concluded by recommending unanimity in supporting administration through the difficulties with which, after such a struggle, they must necessarily have to contend. He trusted that government would do all in its power to alleviate the distresses unavoidably consequent on such a contest as we had been engaged in; that the public resources would be husbanded with the strictest economy; and he had no doubt that agriculture would shortly recover from that depression under which it laboured at present; a depression, occasioned by circumstances which no human foresight could have anticipated or prevented; but while we deplored the evils that to a certain extent unfortunately did prevail, he trusted we should turn a deaf ear to those who would teach us to despond, and heed not the warnings of such gloomy prophets.

Mr. *Brand* rose to move an amendment, and prefaced his speech by an apology for the nearly inaudible manner in which a severe hoarseness compelled him to address the House. Exclusively of this indisposition he had to encounter the difficulty of following an hon. baronet, who had opened the debate in a manner at once so creditable to his own talents, and so moderate in his review of the subject. The Speech of the Prince Regent was also remarkable for its moderation; and here he begged to be understood as not rising to give it his opposition, but for the mere purpose of saying that if the hon. baronet could have put such sentiments into the royal Speech as those he had so appropriately introduced in his own, he would not have trespassed on the attention of the House with his present appeal. The hon. baronet had very properly and feelingly alluded to the distresses of the country, and had he followed up this sensible expression of his opinion, by embodying in the Address an expression of the determination of the House to enter into a speedy inquiry into the cause of this evil, with a view of removing any pressure to which the commercial and agricultural interests were exposed, it would have completely obviated the necessity of proposing any addition to the terms of the Address. This omission was, however, too important in its character to be passed over without an attempt at least to supply the deficiency, and to show the nation that parliament had not allowed the first day of its meeting to elapse without pledging itself to an inquiry so vitally essential to the interests of the people.—There was another topic to which the hon. baronet did not allude; he probably overlooked it in his energy of exultation—feelings that he held in common with the whole community—at the downfall of military tyranny on the continent, and the re-establishment of the peace of Europe. The topic to which he alluded was, the unusual length of the adjournment of parliament at a crisis so important. This delay was a serious ground of complaint; for during this protracted recess, it became a matter of public notoriety, that treaties and conventions of vast importance to the interests of mankind, had been entered upon and decided by his Majesty's ministers, who, notwithstanding the paramount necessity of the case, had, during the long discussion attendant upon such proceedings, wholly neglected to call upon the Commons of England for their necessary advice and co-operation. This was disrespect to the people, as well as to their representatives in parliament. It was impossible not to feel a more than ordinary anxiety on this subject, when it was understood that treaties had been concluded, raising doubtful questions of public law and of constitutional principle; that provision had been made for maintaining a large foreign military establishment, which must necessarily require a large domestic military establishment, for its support. The subject involved not merely legal and constitutional, but financial considerations, all of which were overlooked in the Address of the hon. baronet; and although it would not be proper to go deeply into them at present, he trusted he should hereafter be able successfully to contend that they ought to have directed whatever might be the terms and provisions of those treaties. What he chiefly regretted, however, in the able speech of the hon. baronet, was, the slight and insufficient manner in which he had touched upon the actual distresses of the country. He wished the House to pledge itself distinctly that they would inquire and administer speedy relief, because he was convinced, that by a steady application of our resources, and by a strict economy, the burthens and distresses of the people might be relieved. The country looked to them for some pledge that the existing system of partial and oppressive taxation should be revised, and he implored his Majesty's ministers and the House not to disappoint it in so just and natural an expectation. He did not make these observations in a spirit of hostility to his Majesty's government, but because he considered the cause he recommended to be the constitutional duty of that House. The hon. baronet, as he conceived, improperly committed this to the discretion of ministers; whereas he wished to confide it to the representatives of the people. He well knew that the body of the people, with an anxiety which those only could judge of who had observed their distresses, languished for the opinions of the well-informed as to the possibility of lessening the public burthens. Without anticipating, therefore, any opposition to so moderate an amendment, he should conclude by moving that the following words be added to the Address:—" And also to represent to his Royal Highness, that it was the duty of of his Majesty's ministers to have advised his Royal Highness with the least possible delay, to have convened parliament for the purpose of communicating those important treaties with the allies and with France, which after having been acted upon for several months, are now about to be laid before this House; and that the length of the late prorogation was the more extraordinary at a time when the unexampled domestic embarrassments, as well as the important foreign relations of the country required an early meeting of parliament; and to assure his Royal Highness, that this House will speedily undertake a careful revisal of our civil and military establishments according to the principles of the most rigid economy and a due regard to the public interests; and also at an early period take into its most serious consideration the present state of the country.

Lord *John Russell* seconded the amendment, and animadverted on the unprecedented delay which had taken place in communicating the late Treaties to parliament. In most former instances, Treaties of Peace had been communicated to both Houses within a month after they were concluded, and that of 1783 had been communicated within a few days. Yet, a Treaty by which we were to keep up an army unexampled in magnitude, and in consequence of which the country was to be burthened with a tax most oppressive and unconstitutional in its nature, had not been brought before parliament until months had elapsed. The contents of the Treaty they knew, as it were, by report, but the distresses of the country they had all witnessed. Yet, notwithstanding all this, the noble lord opposite had not thought proper to meet the House till that late period. This, however, would appear less strange to those who had read the dispatches of the noble lord; when they saw in those documents, how his lordship reprimanded some sovereigns for misconduct, and nations for misbehaviour to their sovereigns, it might be a matter of wonder how the noble lord had condescended to meet the House at all (a laugh). It was strange, that in a speech which gave them an account of the affairs of Candy and Nepaul, that there was no allusion to the cause of the present distresses. This was the more unaccountable, because during many years, when it was represented that the effect of such unbounded taxation would be in the end ruinous, the answer uniformly given had been a reference to the flourishing state of the country. But now, after glory on glory, and victory on victory, all this prosperity had vanished. The farmer could not pay his rent—the landlord could not pay his taxes—and from the lowest labourer of the land, to the peer who stood next the throne, all felt that our prosperity was gone, except indeed, those who were paid out of the public purse. The country was not quite satisfied with its trophies, and began to consider whether the situation which we had attained was worth all the past expenditure, and whether the object which it was the duty of every English minister to seek had been obtained, namely, the reduction of France to such a state, that it could never again be formidable to this country. It was to be remarked now, that after all our victories, France remained in the possession of as much territory as she had at the time when William 3 thought it necessary to unite all Europe against her. But our situation at home was truly dreadful, for the reported intentions of ministers left the people no hope of being relieved from their burthens. It was reported that ministers intended very shortly to propose to continue a great part of the Income-tax. He feared, however, that when they came to milk the cow, they would find her dry. He would say, that there could be no more dreadful calamity for this country than the continuance of the tax in question. There was one point touched on by the hon. baronet, undoubtedly the most plausible, but that which perhaps could least bear investigation. The ministers were eulogised for the abolition of the slave trade—as if it had been obtained by their sole exertions. No one could rejoice more than he did at the completion of that great object, on which the sense of this country was expressed so warmly; but when the praises of ministers were sounded respecting it, it was impossible to forget the conduct of the noble lord opposite (lord Castlereagh), who evinced the greatest tenderness for the feelings of the French on the subject, and spoke of the impropriety of forcing moral doctrines down men's mouths with the bayonet. That trade was now abolished; and how had this happened? Had the benevolent Louis succeeded in persuading his subjects that they were in the wrong? No. A man who was loaded by abuse by all parties—and who no doubt deserved it all—had abolished by a stroke of his pen this infamous traffic—and it did not seem to have made him a bit the more unpopular. He should be slow, however, to allow either our government, or Louis, any praise on this head; they had looked blank and had acquiesced—but the good was done by their enemy. Another point at which he was astonished in the speech of the hon. mover was, the expression of the established faith of the Bourbons! The singular good faith of the Bourbons! (Hear hear!) How many eloquent speeches had been delivered in that House against the bad faith of that very family! It might be said, they had learnt morality in adversity; but in the very last year the bad faith of Louis 18 in the non-payment of Napoleon's pension, was the pretext though not the cause of his fall. The hon. seconder had made use of an expression still more unjustifiable—he had said, he was glad this country had become the rallying point of legitimacy. Luckily, it was but of late years that this country had assumed that title. The noble lord said, he had a particular reason to rejoice, that the same opinion had not prevailed a century ago—his own family in that event must have stolen into obscurity, branded as traitors, and stripped of all the honours with which the crown had laden them. But to take a wide view, what would have become of the family on the throne? Why, our gracious Sovereign, instead of an imperial throne, would have been the possessor of a petty electorate in Germany; instead of wielding mighty armies and holding the balance of Europe, he would have been at the head of a few companies of grenadiers in some paltry Germanic squabble. Such would have been the case, if the regular succession to the throne had not been disturbed by act of parliament. The praise of the principle of legitimacy paramount and irresistible, could not fail to be as offensive to the ears of the Prince, as it was to every friend to British liberty and our admirable constitution.

The *Chancellor of the Exchequer* said, that having listened to the very eloquent and able speeches of the hon. mover and seconder, it was impossible to avoid expressing the gratification he felt on the general impression they had made on the House, an impression which had induced the gentlemen opposite to declare, that they were not disposed to disapprove of any part of the Address, but that they approved of it merely proposing an amendment, regretting that parliament had not met earlier, and pledging the House to a rigid inquiry into the means of reducing the public expenditure. Thus they must be understood as willing to give full credit to Ministers for that firmness which had produced the desired success. Gratified as he must be with this unanimity, he only found it necessary to answer one or two observations for the information of the House. In the first place, the hon. gentleman who had put himself in the front of the battle, had urged as a complaint against ministers, the long prorogation. But if they had taken the trouble to pay attention to the dates of events which must have come under the notice of every individual, they would have found that the Treaty of Peace about to be laid before the House, was only signed on the 20th of November, and it was nearly two months longer before the ratifications were exchanged. These did not take place till the 20th of January, so that there was only a lapse of ten days between the time that ministers had it in their power to make the communication to parliament and the assembling of them together. This was the only cause of the great delay complained of, and the ten days formed the whole of the time that had been suffered to elapse before parliament was informed of what had taken place. Out of this short period must also be deducted whatever time was necessary for the transmission of the Treaty from Paris to London, as well as that required for the printing of the Papers for the convenience of members. They were now in such a state of forwardness, that when they came to be laid on the table, and when it would be seen that their number, either as Treaties, Conventions, or Proclamations, amounted to between sixty and seventy, every gentleman must be convinced, that not an hour had been lost. This was the sole cause of the delay. Respecting the internal situation of the country, he could assure the hon. gentleman who had moved the amendment, that ministers had paid the most anxious and unremitting attention to it; and however laboriously and honourably some of his colleagues had been employed abroad, he could say for himself, that he had never passed a summer with less relaxation or more anxiety in his life. He could not but think that the speech which had been read contained every pledge which the House could reasonably desire on the subject in question. It gave the strongest declaration from the Crown that all possible measures for producing general economy in the state should be taken that were consistent with the safety of the country; and this was a point which ministers and the House would never cease to keep in view. He believed, indeed, that if we could be brought back to the state we were in before the war began, and on one side were placed all the dangers and difficulties which we had undergone, and the expense which we had incurred, and on the other the high station which we had attained, there was no British heart so base as not to choose our present glorious eminence, notwithstanding all it had cost us. As so many opportunities would soon occur for the House maturely to consider what could be done to improve the state of the country, he should touch but slightly on any thing relating to that topic. It must be evident, that several circumstances contributed to produce this stagnation, which could not possibly be avoided. For example, a very considerable difference arose in all commercial transactions, as soon as the general intercourse was renewed with the continent, which had been interrupted by the war; this caused a reduction in the prices of all articles similar to those which were allowed to be imported, and particularly in those which formed the necessaries of life. On looking back to the year 1801, it would be recollected that apprehensions were entertained of a great deficiency in the supply of bread-corn, the produce of our own country; and these alarms at an approaching scarcity, were continued fcr several years following: thus the prices of corn and every necessary of life rose rapidly, and continued at a high rate; but when, by the restoration of peace, channels of commerce were re-opened, the prices necessarily found their level, and wheat, in particular, was reduced to the price it formerly bore. Another cause was the scarcity of money, occasioned by the continental wars, now so gloriously concluded. Very large sums had been drawn from the capital of this country by the great loans of the last and the preceding year. In the last three years the immense sum of 142 millions had been granted for the expenses of the war in Portugal, Spain, &c.; of which about 42 millions only were in paper. The abstraction of so large a sum from the ordinary channels of industry of the country must necessarily have produced a great stagnation. But when the Papers that were preparing on this subject should be laid before the House, the whole matter would be clearly seen into; and all that was requisite would be for gentlemen not to consider them in the gross, but scrupulously to examine the items, and, after an attentive investigation, to form their opinion as to what parts of the public expenditure can be properly dispensed with, as well as how those wants are to be met which are most necessary to the welfare of the country. In answer to the question of the noble lord opposite, he had no hesitation to avow the intention of ministers to continue the Income Tax, on the modified scale of 5 per cent.—(Loud cries of Hear, hear!) He should be able, at the proper time, to show, that of all modes that could be thought of, none would be equally advantageous and economical, or less oppressive and burthensome to the community at large. He was aware he should be told, that he could borrow a large sum of money to supersede the necessity of this tax; but he should have no difficulty in proving, that this mode would be found much more inconvenient and burthensome. But there would, as he had already observed, be so many occasions for discussing this subject, that he should abstain from any farther remarks at present, and only declare, that the whole of the Address had his most unqualified approbation.

Mr. *Brougham* said, that on rising to support the Amendment, he must concur with his noble friend in the opinion of the laudable tone and moderate language of the Address; but as ministers appeared to take to themselves a sort of credit for this, he should take the present opportunity of entering his protest against the principles laid down in the speeches by which it had been supported. He had no objection to agree to the Address, because it pledged the House to nothing. It only pledged them to inquire into certain things, and if they approved of them, to express their approbation. But the part which was most worthy of attention was that which contained the allusions to the present situation of the country, its arts, manufactures, commerce, and revenue. He wished to know whether, among those arts, agriculture was contemplated, as the right hon. gentleman had admitted the great pressure under which the agricultural interest laboured? The distresses of the landed interest of England had been unabated by the peace, and unpalliated by all our victories. When it was asserted in the Speech that our revenue was in a flourishing condition, the House must take it for granted that it was so, because this was a proposition, that ministers themselves alone knew the correctness of, and concerning which all the rest of the House remained in darkness. But let them remember that their responsibility for this assertion would be very great, if, after having put these words into the mouth of their master, it should be found that agriculture must be excepted from this "flourishing condition," and that it stood in need of relief; that the number of bankruptcies was daily increasing, and that the home trade, no less than the foreign, presented another melancholy exception to the boasted "flourishing condition" described by the Address. He might safely venture to say, that the home trade, the substantial ground-work of national industry, was at a stand-still. Shops were every where empty, and tradesmen's books covered with debts on which not one per cent. could be collected. Yet the war was at an end, after victories such as could never have been looked for. In the negociations at Paris, it was our own fault if the terms were not such as were best suited to our manifold interests. The pressure, however, was greater than it had been in 1810 and 1812; no business was done, and if the reason were asked, it was said the landlord received no rent—the tenant could sell no corn. If this turned out to be a part of that picture, of which a general sketch had been given—if out of the flourishing condition of our commerce must be taken that lumping exception of the whole internal trade, in comparison of which foreign commerce was so inconsiderable that it might be considered merely the ornament of the system, a very heavy responsibility would fall on the framers of the Speech.—In the speech of the hon. baronet who moved the Address, he was surprised to hear a comparison of the present Peace with that of Utrecht, which had justly been considered the most improvident bargain ever made. The Assiento Contract, indeed, was the only advantage which this country derived in that Treaty from the victories of Marlborough and the councils of Godolphin. The comparison of that with the present treaty on the subject of the Slave-trade was said to be advantageous to the latter. He was, therefore, led to suppose, that among the sixty or seventy conventions and treaties which they were to be presented with, would be found one in which Spain and Portugal had agreed to relinquish the Slave-trade. As Buonaparté had abolished the Slave-trade in France all Spain and Portugal were bound to relinquish that detestable commerce. He hoped, therefore, to find not only no Assiento Contract, which would be felonious by the present law, but an abolition on the part of Ferdinand of this great and crying evil—an evil next in magnitude to his persecutions religious and civil—to his butcheries and torture of his own subjects (Hear, hear!). This contemptible tyrant—contemptible in every respect, but in the portentous power of doing mischief which he possessed, in consequence of our having raised him to the throne which he so meanly and unworthily filled—whose slightest crime was his usurpation of his father's crown (Hear, hear!), was now the grand slave dealer out of Europe, as he was the grand maker of slaves in Europe. He hoped, therefore, that we had insisted on the abolition of that Trade; and that Portugal, whom we had also saved, and over whom we could exercise some influence, at least, had abandoned that dreadful traffic. The right hon. the Chancellor of the Exchequer had stated, that he reserved himself for a future occasion to enter upon the detail of the flourishing condition of the revenue, which was one of the topics of the Speech, and was re-echoed in the Address of the hon. baronet. But he could not help taking notice, in this early stage of the business of parliament, of what had fallen from the right hon. the Chancellor of the Exchequer by way of intimation upon this subject. As one reward of our exertions in the late contest, so gloriously spoken of in the Address, and as an immediate consequence of what the hon. gentleman who had so eloquently seconded it, termed the breaking of the rod of enchantment, and dissolving the spell by which the nations had been bound in slavery, he had heard with more regret, than perhaps astonishment, that the most oppressive of any of the taxes that had been imposed upon the nation—the heaviest and most obnoxious of those burthens under which the country had groaned— that that most oppressive and tormenting tax upon income was to be continued. It was for this we had been fighting, not only our own battles, but those of other nations. Our fortitude and perseverance had led to this happy consequence, that we were not merely to bear the other burthens which had been so heavily laid upon us, but were to be borne down by this most tormenting of all taxes—a tax which was still more oppressive in the detail than in the bulk: and this, it was said, was necessary, notwithstanding "the flourishing condition of the manufactures, commerce and revenue of the united kingdom!" (Hear, hear!) If this odious tax could be dispensed with —if there was any other means of going on without it, no man in his senses—still less would the right hon. gentleman, on the very first day of the meeting of parliament, intimate an intention of renewing it. Such an intimation surely could arise only from the consciousness of there being no other means of carrying on the financial affairs of the country. He, however, did trust, that this early hint, which had been so plainly and unequivocally given of the intention of government, would not be lost upon the country or upon the House, and that the constituents of such of them as had any constituents (a laugh, and cries of Hear, hear!) would take those steps, which, if they had been adopted last year, would have rendered it impossible for the burthen to have existed beyond the present spring. —With respect to all the other burthens observed upon by his hon. friend near him, he could only say that he most entirely concurred in those observations. He reserved himself, however, upon those various branches of the national finances, until they should be brought in detail under the consideration of the House. The hon. gentleman opposite seemed to suppose that there were no means of relieving the landed interest, because their affairs were so interwoven with the national prosperity, that it was impossible to separate them from other objects. But he could not help expressing a hope that the Chancellor of the Exchequer would speedily find that there were means of separating them, and that some seasonable relief would be afforded to the distresses with which so important a part of the community was afflicted. The right hon. gentleman had alluded to some branches of the revenue which he intimated would undergo revision and retrenchment.—[Here the Chancellor of the Exchequer uttered some negative expressions]. From the manner of the right hon. gentleman, he must presume that the disappointment of his hopes upon this subject would be more general than he had expected. He had consoled himself with the thought that the right hon. gentleman would seriously set about a revisal of some part of the revenue and finance, with a view to mitigate as much as possible, the severity of those taxes now imposed upon the country. Was it then to be understood, that not only half the Property-tax, but all the other war taxes were to be continued? Was the country to understand from the Chancellor of the Exchequer, that at a season when grain was almost a drug in the markets, and when corn was not only at the lowest price, but when no price could be obtained at all; and when the most grievous burthens were imposed upon the barley growers, was it to be said, that under such circumstances the War Malt-tax was to be continued? Was it to be said that the landholders were still to pay 5 per cent. Property-tax, and endure in times of peace all the hardships to which they had been exposed during the war? Was the Malt-tax of 38*s*. per quarter laid on during the war, to continue during peace? If this was to be the state of things, he trusted the House would not separate without hearing a notice from some of his hon. friends, who were conversant with this subject, for bringing the question of the War Malt-tax immediately under the consideration of the House.—But there were other matters independent of the subject of reduction in the taxes, to which he hoped the attention of parliament would be speedily called. If the Amendment of his hon. friend was carried, the House would pledge itself speedily to take under its consideration, the state of the country, he doubted not that one of the first objects of their inquiry would be those laws which prevented the exportation of some of the most important staple commodities of the country. He trusted also that the state of the usury laws would be brought under consideration with the like celerity; for there was no subject more deserving the interposition of parliament. He hoped those laws, which operated most oppressively on the indigent borrower, which had been disapproved of by the first characters of the country, which sir Francis Baring more than thirty years ago had strongly pronounced against, as injuring the interests of those they were intended to protect, and which were so manifestly impolitic and ruinous, would soon receive a thorough revision and alteration. There were various other subjects, unnecessary for him to allude to at present, which were equally pressing upon the notice of the House,—he would only instance the state of the poor-laws, as they respected the equalization of rates. All that he was desirous of urging upon the notice of the House at present was, the absolute necessity of redeeming their pledge, by immediately entering into that inquiry, which was, of all others, the most important—namely, into the state of the finances, and by thus showing to the country that their condition was not absolutely hopeless, and that the promises of parliament were not mere empty sounds without meaning. Before he concluded, he begged to allude to one part of the hon. gentleman's speech opposite, and the more so, because it formed a part of the Address under consideration. He meant that part which pledged the House to measures of economy. That part of the Address and speech of the hon. gentleman must be taken to mean, such a rigorous investigation into the amount of our enormous establishments both at home and abroad, as would lead to this result; that our expenses would be reduced to the smallest amount possible, consistently with our safety. For it was a robbery of the people of this country, it was a cruel mockery of their sufferings to tell them, after twenty-five years of distress and misery, and when the long looked-for peace was at length arrived, that they were still to endure the expenses of war, without the benefits of peace. And for what purpose? For the purpose of securing the cession of new islands, of appointing new governors, new secretaries, new clerks, of establishing new sources of patronage, new causes of alarm to the people, and new quarters from which danger may be portended to their rights. (Hear hear!). The right hon. the Chancellor of the Exchequer had expressed a hope that gentlemen would turn their attention to the accounts that would be laid before them, not in the gross, but in detail, and that they would investigate the items. He would promise the right hon. gentleman that he, for one, would not only examine them *en masse*, but would go through every estimate and item in all its bearings, in the humble hope of assisting the right hon. gentleman in his laudable inquiry. Thus the problem might be discussed this session, as to what was the least farthing of expense in every department, from the establishment of the Prince down to that of the common soldier, which was necessary for the country to pay, consistently with its security, and what was the lowest reduction in our civil and military establishments, which that security could admit of. The hon. and learned gentleman concluded by giving his cordial support to the Amendment of his hon. friend.

Lord *Milton* was anxious to state in a few words the grounds of his vote. If any thing could have induced him to support the amendment, it would have been the speech of his hon. and learned friend who had just sat down. But it appeared to him, as the House was at present situated, that the Address proposed by the hon. baronet contained all the pledges which it was necessary for the House to give. He agreed with his hon. and learned friend, that the time would come when it would be necessary for the House to manifest its sentiments, not in speeches but in acts. The time would come when it would be necessary to enter into every article of expense and retrenchment; and it would be well, if those matters were to come under the consideration, not of one committee, but of several, which might sit up stairs; for, indeed, the subject branched into such multifarious ramifications, that it would be impossible for the House, sitting in a body, to take it into their serious consideration. One of his objections to the Amendment was, that it appeared to go rather too far, and to hold out pledges which it would be impossible for the House to realize. Nothing was more dangerous, and in his opinion more mischievous, for this House to do, than to hold out pledges for any of its solemn and deliberate acts, which there was not a fair prospect of their being able to redeem. Speaking, however, as an individual, he did entertain considerable hopes, that by proper attention to these subjects the expectations of the people might be much more effectually realized than the House had reason to entertain from what had fallen from the Chancellor of the Exchequer. Indeed, upon this subject he was rather jealous of a particular part of the Speech, to which the House as yet had not, he thought, sufficiently adverted. He meant that expression of the Speech which talked of "the high station which we occupy in Europe." He should like to know what was the secret explanation which the ministers would give of that sentence. Did they mean by that, that Great Britain was to become a great military power — that she was to vie with Austria, France, and the other great military powers of the continent, in military strength and reputation. If that was the case, he must say that the present was indeed a new era in the history of the country. It would be one of the greatest misfortunes that could befal the country, if she was to be held out as a great military power. That had not hitherto been our character, and he very much doubted whether, if we assumed that shape, it would be possible for us to maintain our liberties at the same time. He felt extremely anxious upon this subject, because it was impossible not to suspect that in a certain quarter, a peculiar love of this sort of establishments existed, which it ought to be the business of this House to check and control. And he hoped when the time came, that the hon. baronet himself who had moved the Address, would lend his hand, not only towards an economical administration of the finances, but that he would interfere, as far as in him lay, to lessen this class of expenses, which might be added to the burthens of the country. One was full as necessary as the other; and if the hon. baronet thought that he should satisfy his speech of that night, by merely adverting to the economical administration of the supplies which this House might vote, he apprehended the hon. baronet would not give that satisfaction to his constituents which he had expressed his desire to give, and which he was sure he felt as much as any member of the House did. He had heard that night, for the first time, that an intention existed of continuing the Property-tax. The Chancellor of the Exchequer had not indeed stated whether his plan was to have a limited duration. But the right hon. gentlemen would recollect that his declaration of that night was directly contrary to the positive expectations he had held out last year. The declaration then was—"Only give us the Property-tax for one year, just to wind up the expenses of the war, and we will be satisfied." Now they talked of reducing it to one half. But the noble lord said he wished to know whether the Property-tax was to be given to wind up the expenses of the war, or whether it was to be looked to as a source of permanent revenue? This was a point upon which he should wish to be informed, in order that the country might have the consolation of knowing the worst they had to expect.—There were other subjects which might be discussed upon the present occasion, as growing out of the treaties: but as those treaties had not yet been laid before the House, he thought the House would do well to satisfy itself fully upon these points; for he confessed enough could not be expected from the meagre Address which had been proposed. It was a notorious fact, that the treaty of peace between this country and France, and the other treaties connected with it, had been signed two or three months, and the people of this country knew their contents only through the medium of the Rhenish Mercury. Such was the state in which his Majesty's ministers placed the people of Great Britain! It had been thought a good thing to obtain peace; but much of the merits of the peace must depend upon the nature of it, the means resorted to for obtaining it, and the securities provided for its continuance. He would not admit the comparison between the framers of the Treaty of Utrecht and those of the treaties alluded to; but in saying this he must not be taken to approve the Treaty of Utrecht. It had been said by the highest authorities that that was a treaty disgraceful to this country. The noble lord concluded by voting for the Address, in preference to the Amendment, for the reason before stated, that he thought it not prudent to hold out pledges which could not be redeemed, or make promises which might be broken. He was firmly persuaded, that if the House would seriously enforce plans of economy, a great saving might be made; but it would be better that the public learned its intentions from its acts, than from its speeches or pledges.

Mr. *Preston* drew a feeling picture of the present distressed state of the agricultural interests of the country. He said that the weight of taxes which oppressed them was twice the amount of the interest of all the landed property in the kingdom. He recommended a revisal of the entire system, to which he thought the House should pledge itself, and, in consequence, he expressed his intention of voting for the Amendment.

Sir *Samuel Romilly* said, that however desirous he was to go into a consideration of the topics connected with the foreign policy of this country, he should for the present abstain from the indulgence of that desire, from a persuasion that he should have frequent opportunities hereafter of discussing them. The speech, however, of his right hon. friend the Chancellor of the Exchequer rendered it impossible for him to give a silent vote in favour of the Amendment that had been proposed. At least he was desirous of not having it supposed that he had approved of all the sentiments which had been expressed on the other side of the House. No doubt in a great part of the speech of the hon. gentleman opposite, he most cordially concurred. He agreed with him in rejoicing at our having at length obtained peace. He agreed with him in thinking that peace was most desirable, in an abstract sense, but without reference to the particular circumstances under which the peace was obtained. The expressions also of the hon. gentleman's condolence upon the lamented indisposition of his Majesty—a subject interesting to every body—most heartily met with his approbation, for it was a matter upon which no one could entertain a different opinion. He was certainly far from desiring a premature discussion; but he must say, that though he acquiesced in the eulogium upon the glorious victories that had been obtained, he could not concur in giving so unqualified an approbation of the cause as that which was expressed in the Address. It seemed to him extraordinary that this House should, as it were, be unanimous in silent approbation, or, at least, that they should concur in adopting that new system of policy which his Majesty's ministers had recently taken up, in contradiction to their own repeated declarations. Down to the moment when the House last separated, his Majesty's ministers had always declared that the war was carried on against Buonaparté individually, and those immediately connected with him; and they took occasion repeatedly to deny imputations to the contrary of this, which had come from this side of the House, by saying, that they did not make war upon France to compel her against her will to admit upon the throne the present reigning family. Since the prorogation of parliament, however, this new policy had not only been adopted but avowed, and the war was commenced for the purpose of dispossessing Buonaparté of the throne. British and foreign armies had united their efforts, for the sole purpose of placing the Bourbon family upon the throne of France without regard to the wishes, the desires, or the feelings of the French nation. He, for one, could not concur in the approbation which had been expressed of that new policy. It was not necessary for him now to enter into a full discussion of the impolicy, the infidelity, and the injustice of this measure; for the time would come when he should have the opportunity of a more elaborate expression of his dissent from such a policy. For the present he should only observe, that, as it appeared to him, no new ground had occurred since the last meeting of Parliament, to justify the change in the determination expressed by the British government upon this important subject. No change of circumstances had occurred when they thought proper to avow this new system—nothing whatever had occurred to authorize them in adopting a policy, which till the moment it was embraced, they had strenuously deprecated. It might be proper to call to the recollection of the House, that about nine months since a letter arrived in this country from lord Clancarty, addressed to the noble lord opposite,* which showed, that even at that late period, a distinct intimation was given, that nothing was farther from the intentions of the British government, than to take part in restoring Louis the 18th to the throne of France. The opinion of the allies was said to be decidedly against all inteference with the internal situation of France. They avowed that they adhered to the declaration of the 13th March; that they combined to exclude Buonaparté from the throne of France, because his occupation of it was inconsistent with the security of Europe; but that when this object was accomplished, they disclaimed any wish to influence the French people in their choice of a sovereign. These professions were held after the battle of Warterloo; they were proclaimed in the triumphant march of the allied armies; they were declared by the duke of Wellington till he arrived at St. Cloud. Up to the convention of Paris, the same language was continually held—even to the deputies from the provisional government. Immediately upon the occupation of Paris these principles were renounced. Did this happen because the allies then felt themselves able to enforce principles diametrically opposite? If so, where was their faith to the French people? They had broken their engagements—they had renounced their professions. Instead of concurring in the praise of ministers for their conduct in bringing about the peace, they deserved, he thought, the severest censure for having compromised the honour of the country. Neither did he imagine that the peace would be more secure than it was honourable. It was not founded on the basis of reciprocal good-will but on that of arbitary power—of unjust compulsion. In making it we had planted the seeds of war, and had left behind us the stings of hatred and revenge.

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* See Vol. 31, p. 311.

Lord *Castlereagh* said, he did not wish to protract the discussion which had been introduced on topics which he had not expected would come under the consideration of the House in the present debate. The delay which had been complained of in calling parliament together, he considered to have been explained even by those who had made their not being assembled before, a charge against ministers, and it would therefore be unnecessary for him to dwell upon this; and he should consider what had fallen from gentlemen opposite on a variety of subjects intended but to open to the government those topics on which a difference of opinion might be expected. He apprehended what had been said proceeded from an anxious wish that ministers should confine themselves to that line of policy, which at a former period they had held to be prescribed to to them by duty, and it would be his task, when that great question came before them, which must shortly be submitted to their deliberation, to satisfy the House that in no instance had they departed from that line of conduct which they had formerly taken, and which, as it had been adopted on the broadest and soundest principles, would be that to which they should adhere for the future. He was not disposed to infer that unanimity was to be expected, from the feeling which had been manifested in this night's debate. He should expect to find immense varieties of opinion on the great questions which would soon come under discussion, on the present state of Europe. The course pursued by ministers with respect to other powers he should defend, because he thought it had been the wise one; but at the same time he did not deny the right which the House, had to determine on it as they in their wisdom shonld see fit, when it came under the examination of parliament. On all the important questions which were to be investigated, he should expect much difference of opinion would be found; there was only one point on which he wished gentlemen opposite to touch with a delicate hand—namely, the proceedings of other and foreign governments. These he hoped, would be more tenderly dealt with than they had been, although the system acted upon should not be such as to obtain their approbation. He hoped those attacks would not continue to be made upon foreign administrations, which had of late become so frequent. Such opposition might be properly directed against the ministers of this country, who were present and able to defend themselves, but he trusted gentlemen would feel the propriety of not turning their arms against those of other nations with whom we were in alliance and that scrutinizing criticism would not be transferred to the investigation of the internal policy of foreign countries, which could only be properly exercised at home. Though he expected great differences on all the foreign questions, he still denied the accuracy of the assertion that had been made, that the Address now under consideration was entitled to support, because it pledged the House to nothing

The merits of the peace under existing circumstances would be subject to the examination of the House on a future day. He admitted it would then be for them to consider whether a wiser peace, or one more advantageous for this country, and for Europe in general, might not have been made after the successes which had crowned the army of England in conjunction with her allies. These were points that would be open for discussion, and for these ministers stood responsible in their characters and in their situations; but still it would be seen, that agreeing to the present Address, the House acceded to the proposition, that there never had been a peace concluded for this or perhaps for any other country so advantageous, so glorious in all respects, and so completely accomplishing the most sanguine expectations of the country. He was not surprised at the gloomy apprehensions expressed by some of the gentlemen who had spoken on the other side: remembering, as he did, what were their feelings while we were engaged in the prosecution of the war, it was not to be expected that these would be at once removed by the return of peace. Some difficulties were to be anticipated, for he should be glad to know where a peace had been made in any part of the world which had left all the community for whom it was made without one grievance to complain of. He, however, should be glad to have this peace compared with any of those which had been pressed on the attention of parliament during the war, by their opponents, as models for that which it would be desirable to gain, and he would confidently ask if among these any one could be found at all to be compared with the present?

The attention of parliament must necessarily be soon directed to the internal situation of the country. He wished the question to be fairly looked at. They ought not to turn aside either from the view of the general policy or that of the internal state of the country; and with respect to the latter, there was certainly much to be considered; but he wished to know what peace could have been made which would not have left much for consideration, how best to conduct the country from one situation to a state so immensely different, as that was to which we were now coming, from that which we have so long known—from prosperous war (for even in the war the marks of prosperity failed not to manifest themselves, and continue to accumulate in every year), to profound peace. There was no man who could suppose, at the close of such a war, that some indications of calamity would not result from the changes consequent on the transition of the industry of the country from the war market to the peace market. But, looking at this, he desired that an exaggerated view might not be taken of the evils to be surmounted. It was fit that the country should look them in the face; to meet them with success, it was necessary they should know the extent of the difficulties with which they had to contend; but it was not from taking an exaggerated view of them that parliament would be enabled to supply the proper remedy. While he admitted that the difficulties referred to existed to a certain degree, he felt he might even now congratulate the country on the situation in which it was found at the close of such a contest—a situation very different, and gratifyingly different, from that in which it had been left at the termination of every former war. If they looked back to the end of the American war, would they find that it was possible for the Chancellor of the Exchequer of that day, while seeking for topics of consolation, to speak of the flourishing state of the industry, commerce, or revenues of the country? Was there not a general failure in each—a depression in all of them, arising out of the sacrifices caused by the war? and was not that decay in the prosperity of all classes to be lamented which now only pressed upon the agricultural interests of the country, and he trusted would be shown on a future day when the subject came under the consideration of the House to proceed from temporary causes? It had been stated in the Address that the manufactures, commerce, and revenue, were in a flourishing state. To these the word "arts" had been prefixed by the hon. and learned gentleman (Mr. Brougham). But these were not mentioned in the speech from the throne; and, he presumed, had only been introduced for the purpose of amplification. Assuredly, the circumstances of the country warranted the assertion referred to. He wished not to enter into details at present; all he wished was, that the country should look with a steady, manly resolution at the difficulties with which they had yet to contend, as they had done during those they had to struggle with during the war. Doing this they would have ministers ready to go hand in hand with them, determined not to resort to those false expedients which had formerly been suggested, and resolved to persevere in those solid measures, which, founded on sound principles, had finally brought the war to a successful termination. Though not disposed to go into details on this occasion, he thought it might be well that he should describe the present state of the revenue, and by comparing the amount of British goods exported in the three-quarters of a year, ending October 10, 1814, with those of the three-quarters, ending at the same period in the following year, it would be seen that the passage in the Speech, which had been so much commented on, was borne out by facts. The British manufactures exported in the three-quarters of a year, ending October 10, 1814, amounted to 37,167,294*l.* Those exported in the three-quarters, ending October 10, 1815, amounted to 42,425,357*l.* This was the amount of their real or declared value; and from this comparison it would be seen that the increase which had taken place amounted to 5,258,063*l.* This addition to our external commerce he considered of the greatest importance. The internal state of the country was such that, deducting the amount of the Property-tax, (which was nearly the same as in the preceding year), the taxes on the home consumption, down to January 5, 1816, notwithstanding a falling off to the amount of four or five hundred thousand pounds in the Customs, the increase in the revenue upon the whole amounted to a million and a half. If there was a falling off in the customs, he had the satisfaction to state, there was not only no falling off in the Excise, but the excess under this head covered the decrease which had occurred under the former. The War-taxes had kept steady: they did not vary more than 200,000*l.* from what they were last year. There then was a vast increase of the external commerce of the country; the Excise was enormously increased, and the revenue was generally in a flourishing state, which proved, that the community possessed, in as great a degree as formerly, the means of indulging those tastes and dispositions which caused that consumption from which this revenue arose. Though he did not undervalue the depression complained of by the agricultural interest, he was not discouraged at it, as he trusted it would prove temporary. If the agricultural interest had steadily prospered for a considerable number of years (as it was well known it had), while other classes of the community suffered severely, it was not a matter of surprise that it should at length encounter misfortune, and it ought not to occasion despondency, though a remedy if practicable, ought to be supplied. If parliament met the difficulties of the country fairly, and joined to sustain the credit of the country, this would be likely to afford the agriculturist the most effectual relief.—His right hon. friend, the Chancellor of the Exchequer, had announced his intention to propose the continuation of the Property-tax at 5 per cent. He should much rejoice if the circumstances of the country were such that this tax could be altogether taken off; but this could not, it appeared to ministers, be wisely done. That proposition, however, which his right hon. friend meant to submit to the House on this subject, which was brought forward in the belief that it would prove of great importance, and even a relief to the country, it would be for the House to decide upon as they should think proper hereafter. While the hon. gentlemen opposite objected to the Property-tax being continued at all, he hoped they would not undervalue the reduction in its amount which was contemplated. Last year, it was asked by the Chancellor of the Exchequer, to wind up the expenses of the late war. It was, however, given up, and his right hon. friend had been constrained to have recourse to a most painful operation of finance, not to carry on the war, but to provide for the peace establishment which was to be kept up, and which could not be dispensed with, but at the risk of subverting all the greatness, all the security, and he would add, even all the prosperity, of the country, in all its branches. An hon. gentleman had said, the Chancellor of the Exchequer intended to propose that this Tax should be permanent. He denied that he had advanced any thing to justify the assumption that such was his design. Though for the credit, and as he had already said, even for the relief of the country, he was disposed to recommend the adoption of this measure at the present moment, he hoped, when the Chancellor of the Exchequer came to bring this question before the House, it would be found there was nothing in his plan which, when the funds should bear such a price as to make it practicable to raise the necessary supply by other means, would preclude the House from doing so. But he begged the House would not be led away, to endeavour to benefit one particular or separate interest, however dear, by taking any thing from the Sinking Fund for that purpose, if any other way could be found of meeting the difficulties with which we might have to contend. Whenever this was resorted to, he trusted it would be on other than arbitrary principles, and that the greatest care would be taken to guard against unnecessarily trenching upon it. If they look at the operation of it, and traced its effect on the Funds through the late war, they must feel most anxious not to interfere with that which had so greatly invigorated us in the arduous contest we had just terminated. If they were to deviate from the plan laid down with respect to the Sinking Fund, by flying to it in order to relieve one class of the community from a tax which was found to press heavy on their industry; if they once broke down their system to assist one interest, they might soon be called upon to destroy it for the benefit of another. It would be for Parliament to consider these things. He, however, deprecated that gloom and despondency, to which some gentlemen appeared disposed to give themselves up. The Prince Regent's ministers, under all the difficulties which might occur, would continue to do their duty in peace, with the same firmness and resolution which they had displayed during the war, but they would not do that which to them appeared incompatible with the security, the permanent interest, and the high situation of the country. He would be the last man to make the government of England a military government. The pre-eminence we had obtained might, he trusted, in our insulated situation, be sustained by the glory we had already won, leaving little for future exertion to achieve.

Mr. *Horner* said, that the noble lord who had just sat down had stated, that the House in acceding to the proposed Address would pledge themselves to approve of the Peace as being more glorious than any which had been obtained at the close of former wars. Against this proposition he must protest. He understood the Address to congratulate the Prince Regent on the Peace, and on the unrivalled successes which had blessed his Majesty's arms in the progress of the war just concluded, and without any reference to party, he thought no man who felt as an Englishman, could do other than exult in those triumphs which had placed the military character of this country on a pinnacle which it had never before reached. He could not, however, give the peace the unqualified approbation which the noble lord seemed to expect, till the Treaties were before the House. When these were examined into, he should be glad to find that the peace was really one which, while it gave other advantages, sustained at the same time, the British character for good faith. He had no doubt the noble lord thought it merited this praise; but from some rumours which had got abroad in Europe, he should feel it to be his duty to look closely into it, to satisfy himself that in this the noble lord was right. With respect to the commerce and internal state of the country, he should reserve himself till the necessary papers were before the House, and these were subjects which he should be careful not to mix with the questions of peace and negociation. He was aware the conclusion of a war in every community, more especially in one so complicated as that of England, must create some temporary distress, but he was afraid, that which was now complained of would be found to bear another character, and that the remedy would not be easily supplied. He trusted the minister was not disposed to propose, or the House to adopt, any new departures from the principles of our ancient laws and policy. He was led to make this remark from a suggestion thrown out by his hon. and learned friend with regard to an alteration of some of the existing laws. The present amount of the taxes he believed to be the source of the evil complained of, and this could never be remedied but by going to the root of the present system of taxation. He agreed with the noble lord, that whatever pressure might be complained of, it was desirable to leave the Sinking Fund unbroken and unimpaired. But if this was suffered to remain untouched, how were the public burthens to be diminished? By economy alone. It was not to be effected by economically taking off two or three hundreds from one item, or two or three hundreds from another, but by the introduction of the most rigid economy into all departments, and by reducing, where it was practical, the military, civil, and financial departments. He hoped, in the course of the present session, that ministers would not come to Parliament to ask for an increase of emolument for any of the public officers. He trusted they should not again hear of an addition to the salary of this Lord Advocate of Scotland, or that commissioner of Excise, nor an extended provision for this or that branch of the royal family. He hoped the House would be careful to make ministers attentive to economy, that by timely retrenchment the difficulties complained of might be met, and that the nation would never be forced to the last and most desperate expedient, that of breaking its faith with the public creditor. The hon. and learned gentleman concluded with declaring, that for the present he would give no opinion on the character of the peace.

Mr. *Coke*, of Norfolk, said, that it had been already observed by an hon. gentleman in the course of the debate, that the barley farmers were those who suffered most. From his own experience, in that part of Norfolk where a great deal of barley was raised, he could say the same thing. The noble lord opposite had intimated, that the alarm among the agricultural interest was exaggerated; he hoped the noble lord would be able to prove this, though he greatly suspected it was beyond his power, particularly as he had been so long a time out of the country, and could not be accurately acquainted with its domestic concerns. There was not a doubt that the country gentlemen and the farmers were extremely distressed; what they wanted was a market and a fair price for their grains. He said, he did not look forward to the return of those great and extravagant prices which the country had witnessed some years back. In the management of his estates he, for one, had never looked to those prices, being convinced that, in the long run, a steady remunerating price was more for the benefit both of the farmer and landholder. He was sorry to hear from the Chancellor of the Exchequer that the renewal of the Income Tax was to be proposed. He, for one, would resist, to his latest breath, the imposition of that tax, in whatever shape it was proposed, being convinced that, if once admitted in time of peace, the country would never again get rid of it. He trusted also that the war tax on malt would be done away; and if ministers showed no disposition to remove that burthen, he gave notice that he would make a motion to that effect.

Mr. *Tierney* did not mean to detain the House by many observations, but he wished to guard against any misinterpretation of the assent which he was prepared to give to the Address. He fully coincided in the assertion, that greater glory had never been acquired, in the history of any age or country, than by the British army, and he hoped he might add, though that now-a-days was a topic somewhat overlooked, by the British navy also. But if the noble lord meant to apply the word "glorious" to the other exertions of our countrymen, such as those of a pecuniary or a diplomatic kind, there he must pause before he gave his assent. There was one part of the Prince Regent's Speech as delivered by the commissioners, which he rejoiced in most heartily: it was that in which he recommended to the House all possible economy. His Royal Highness surely would not have given this advice to others, unless he meant to practice it himself. [A laugh.] This part of the Speech must belie all those reports that were in circulation, of a new increase of debt on the Civil List; and he hoped that no new application would be made this session for the payment of arrears in that quarter. [A nod from the Chancellor of the Exchequer.] He was happy to understand, from the nod of the right hon. gentleman, that nothing of this kind was to be expected. The noble lord opposite had poured out a tirade against his hon. and learned friend, for what he called indulging in invectives against Ferdinand 7. The noble lord was mistaken, however, if he thought that any confederacy of princes or ministers should control the members of that House in the free expression of their sentiments as to the conduct of sovereigns. As long as this confederacy of princes existed, which, from some late occurrences, seemed to have for one of its objects to put down the liberty of the press and all freedom of sentiment, he, for one, should protest against the atrocity of kings. [Hear, hear!] And he begged that at the next diplomatic meeting which the noble lord might have with Princes Metternich and Hardenberg, he would acquaint those personages that there was at least one assembly in Europe in which men were determined to speak their minds on such subjects. But, while he thus approved of the Address generally, he thought that nothing could be more fair than the amendment of his hon. friend. He begged gentlemen to consider what a mockery it was to lay Treaties before the House for its discussion and sanction, when those very Treaties had been carried into full operation for more than two months, and when the House could neither counteract nor controvert their operation. He charged ministers with wilfully placing Parliament in this ridiculous situation; and asserted that it never was their intention that Parliament should meet till the 1st of February. For this he had no less a voucher than the proclamation of the Prince Regent himself; and such was the zeal of ministers to stave off the meeting of Parliament, that they adjourned it for ninety days instead of eighty, and thus were in danger of putting an end to certain convenient privileges, [a laugh,] till they were enabled by a new proclamation to correct their oversight. He should have been sorry, then, if an amendment had not been proposed, directed against the principle of delaying the opening of parliament under such circumstances. It involved a constitutional principle, and Parliament would not do their duty unless they mentioned it. If the Chancellor of the Exchequer had, according to his own confession, passed a most unpleasant summer, the farmers had certainly done the same; and therefore it was of importance, that Parliament should have met at an early period, as there was always a general sort of feeling in the country, that while it was sitting, something might be done to remedy any evil that might affect the general interest. When the price of corn was falling so rapidly as it had done in the course of last summer and autumn, and a very numerous class of people was thrown into the greatest alarm, surely this was a sufficient intimation that Parliament should be convoked at an early period. Accordingly, it should have met in November last; but now we were told that for some reason or other, best known to ministers themselves, it was natural we should not be here till the 1st of February. He would venture to explain the reason: the House was always sure to meet early, if ministers were in want of money; but if not, it was equally sure to be postponed as long as possible. He predicted last session, when the vote of credit of ten millions was proposed, that it would enable them to stave off the meeting of Parliament till it suited their own convenience; but he was not listened to. He had never known an instance where Parliament met at so late a period as the 1st of February, and it was still more reprehensible thus to shorten the session, when there never was one, perhaps, that had so much business before it. With respect to the necessity of economy, generally, he was happy to find that, at last, all parts of the House were agreed; and the Chancellor of the Exchequer had promised that this economy should extend into all the details of the public service. This he was the more happy to hear, because, when a vote of ten millions for army extraordinaries was last year proposed in a lump, he himself was scouted at for barely asking to go into the details. He trusted also that if committees were appointed to examine into the different branches of expenditure, they would not be crippled by inadequate powers, but be enabled to sift matters to the bottom. The noble lord had now confessed, very inconsistently with his former language, that the country had been bloated by a war expenditure, and told us that at the return of peace the circulation shrank in its dimensions, as was to be expected. He did not despond of the finances of the country, but he could not help taking a most gloomy view of our affairs. The Chancellor of the Exchequer smiled as usual whenever despondency was mentioned. It was to be hoped, however, that the shock which our financial system could not fail to receive would be broken by the union of all ranks in the state, to bear the pressure of common difficulties, and in that respect this country had still the advantage over every other. He was not one who wished for the return of high prices, for he thought it most unnatural, that, in a state of peace, this country should be so much insulated from all others that a guinea should not have gone farther here than a dollar in other countries. But amidst this shrinking of our circulating medium, there was great subject of alarm to the stockholder; for if we lessened the pecuniary means, the circulating medium of the country one half, how were we to pay the taxes to the full amount necessary to meet the claims of the public creditor? The House was told that there was no defalcation of the public revenue. True it was, the taxes might yet keep up for a time; but could the Chancellor of the Exchequer expect that there would not soon be a marked defalcation? Private families, some from pride, a wish to support appearances, and habit, were slow in curtailing their luxuries; but the next quarter or two would speedily show a change. But did the Chancellor of the Exchequer foresee all this at the time of the discussions on the Bullion question, since his noble friend had declared that the bloated state of our currency might have been expected to shrink on the return of peace? He conjectured that the right hon. gentleman would now be extremely glad, could he withdraw from the Journals that famous resolution of his, that there was no difference between a guinea and a one pound note, since every man and woman who read those journals, and knew any thing of the matter, was now convinced that there was a real difference. He was happy to understand that there was no idea of touching the sinking fund. But the Chancellor of the Exchequer should be the last man to cheer this, or to take credit for it, as he himself had already taken seven millions from that deposit. If, however, the sinking fund is to be held sacred, it may be fairly asked, what are you to do to make all ends meet? This was a question which called for their whole attention; at any rate, he trusted the House would not be forward in voting supplies, until they knew what was to be the utmost amount of our establishments. [Hear, hear! from lord Castlereagh.] There should be no voting of sums piecemeal for this department and the other department. The peace which the noble lord had concluded might be a very fine one; but then, perhaps, after all we could not afford it. It was the fault of those who had so long postponed the meeting of parliament, that the immediate operation and consequent expenses of the treaty were now beyond their reach. Never had a parliament met so late as the 1st of February, with all that multiplicity of business that was before the present,—business which it required all the temper of that House to discuss with moderation and fairness. He did not see how it would be possible to make the means of the country meet its expenditure without the most diligent investigation and retrenchment. We were desired to derive comfort from the large exports of our manufactures; but whether that was a loss or gain could not be ascertained until we had known the returns. In the mean time, as his hon. and learned friend had justly remarked, we had lost the home market, and that was the most profitable of all. The Chancellor of the Exchequer surely, under these circumstances, could not expect that the produce of the taxes in future would rise to any thing like the old amount. Would his estimate of the stamps, for instance, which he gave last summer, still sustain itself? Upon the whole, it appeared to him, that the best thing that could be done, would be to appoint a committee similar to that of 1786, that might investigate, from the best sources, what may be the probable produce of the taxes, and to fix by that estimate the scale of our expenditure. He feared that the returns of the probable amount of the taxes, when given in to the House, would be most appalling. But the course which he now recommended was followed by the committee of 1786, just after the American war; and a similar system ought to be pursued now.

Sir *Gilbert Heathcote* declared himself rejoiced at the conclusion of peace, in the abstract, but confessed that his pleasure was much abated, when he learned, from public report, the conditions of the treaty on which the present pacification was founded. The conditions were, as he understood them, so hostile to public liberty in general, so opposite to the principles of the British constitution, so fraught with danger to the existence of the peace which had been restored, so replete with the embers of future continental wars, that he could not but express his regret, that such conditions should have been acceded to by any of his Majesty's ministers. It appeared as if, after the battle of Waterloo, that every previous promise had been violated by the Allies. That battle placed in our power the great individual, in opposition to whose authority the nations of Europe entered into a military combination. But, if they looked to the general effect which it had on the affairs of Europe, perhaps not so much ground for exultation would appear, as many gentlemen seemed inclined to suppose. He would not now enter minutely into any subject of foreign policy; his intention was rather to examine the internal affairs of the country, the prospect of which appeared to him to be very gloomy indeed. Wherever their footsteps were directed, a general complaint of the stagnation of trade, and of the scarcity of money, was heard. But, whilst every one felt eager to propose some remedy, there was no person to be found who did not wish to shift the burthen from his own shoulders to those of his neighbours. He should reserve to himself the right, before the end of the present session, to enter into a full detail on this, and other subjects which, he conceived, the extreme pressure of the times, would compel ministers to bring under the consideration of the House. He should support the amendment of his hon. friend, because it enforced on the minds of the hon. gentlemen opposite, and of the nation at large, the necessity of doing something to ameliorate the political situation of the country. In his opinion, ministers had fallen into a very considerable dilemma, with respect to the foreign policy of Great Britain. After the battle of Waterloo, it would seem as if they were determined, although they had previously denied their being actuated by such a policy, to restore the Bourbons, however unpopular they might be in France. Louis 18 was, in consequence of this determination, guarded into Paris by the bayonets of foreign troops. The subsequent conduct of the allies appeared to have created considerable difficulties. For there were many Frenchmen —men hostile to a Republican government, and enemies to the power of Buonaparté—who were decidedly of opinion, that foreign troops ought not to be permitted to sojourn for any time, beyond that which strict public necessity called for. Now, no sooner was that country likely to be freed from the presence of the allied forces, than Louis 18, who was seated on the throne of France by the aid of foreign arms, felt himself unsafe in Paris, and appeared to be anxiously desirous for the return of those troops, whose appearance in the French capital must ever render the Bourbon dynasty odious in the eyes of the people of France. Formerly a vulgar notion was entertained, that, when a great, bold, and inveterate enemy, was involved in difficulties, it was proper for the successful rival to oppress him as much as possible. Such a feeling did not prevail in his mind. He did not wish to see France a prey to anarchy and confusion. He was too much a friend to the happiness of mankind to harbour such a wish. He would, therefore, ask, wherefore should this country interfere with the affairs of France—an interference which was calculated to produce those dissensions and angry feelings, that ought, if possible, to be prevented? It was better, he thought, to suffer the people of that country to settle their political affairs amongst themselves, and to abstain entirely from interference in matters of such extreme delicacy. Peace had been restored—and he returned thanks to the Almighty for the blessing; but, while the present military force was kept up, and while the present treaties, as described to him, were in existence—he knew not any body in the country that was likely to be much benefited by it. A paper had lately appeared in one of the public prints, purporting to be a supplemental letter, sent round by ministers to their friends in parliament. He should like to know from some of the hon. gentlemen opposite, whether the letter alluded to was an authentic document?—[A laugh from ministers]. He did not care whether gentlemen chose to answer his question or not; but that letter contained such extraordinary assertions, that he felt himself bound to notice them. It was there stated, that ministers had paid the utmost attention to the agricultural interest—and that the state of distress in which that interest was said to be plunged, was greatly exaggerated. Now, he believed it was a well known fact, that, on an average, the lands of this country had been let on a calculation, that a quarter of wheat would produce five pounds. Let the House, keeping this fact in their minds, examine the last market prices, and see what that important article in the subsistence of man, now produced. They would find, that it did not fetch more than 48*s.* per quarter. Many of the members of that House were supported by the letting of their lands. They must, therefore, have been deprived of half their incomes, when wheat, instead of five pounds, was sold for 48*s.* per quarter. Every person employed in agricultural pursuits, was thus deprived of a moiety of that sum, on which they had counted. And where lands were rented, if the tenants, in consequence of this depression of price, could not pay the stipulated sum, the landlord must suffer. The distresses of the agricultural interest exaggerated! Could such an assertion be supported, in the face of the fact he had stated? Surely the distresses of that class who lost one-half of what they had to subsist on could not be depicted in colours too gloomy! Those who were deprived of half their salaries might well be said to be deeply distressed! If the hon. gentlemen opposite were deprived of half the salaries they now received, for attending to the affairs of the country, he was sure some very long faces would be exhibited on the treasury-bench.

The hon. baronet concluded by expressing his hearty concurrence in the Amendment.

Mr. *Elliot* said, that if the question was to come to a division, he wished to state the grounds of his vote. With respect to the late meeting of parliament, he thought it matter of grave consideration, and that it ought rather to be made a distinct and separate proposition, especially in the want of more precise information. With regard to economy, no man in the House, or in the country, felt the necessity of it more than himself; but having declared his sentiments on the war so distinctly, he should be sorry to find himself included in a vote, which might preclude him from following up that measure by every means that could contribute to its full accomplishment, and which was only to be retarded by matters of the most imperious and absolute necessity; and he should be the more sorry, as the war for which he had voted had been brought to so glorious a termination.

The House then divided upon the Amendment, when the numbers were, Yeas, 23; Noes, 90: Majority for the Address, 67. No division being expected, many of the ministerial and opposition members had left the House when the question was called for. Mr. Brand who moved, and lord John Russell who seconded the Amendment, were neither in the division. The following is a

List of the Minority.

Atherley, A.
Burrell, hon. P.
Burdett, sir F.
Cavendish, hon. H.
Cavendish, hon. C.
Ebrington, lord
Heron, sir R.
Gordon, Rt.
Horner, F.
Hanbury, W.
Lambton, John G.
Martin, H.
Moore, P.
Maitland, hon. M.
Preston, R.
Piggott, sir A.
Romilly, sir S.
Rancliffe, lord
Smith, J.
Tavistock, marquis
Tierney, rt. hon. G.
Townshend, lord J.
Wilkins, Peter

TELLERS.

Bennet, hon. H. G.
Heathcote, sir G.

Lord Nugent then gave notice, that on Wednesday week, he should submit a resolution to the House respecting the constitutional character of maintaining a standing army, and proroguing parliament to an unusual period. Lord Castlereagh inquired, whether the noble lord meant to press his motion at all events, before ministers had communicated the Treaties to parliament, and in the consequent discussion opened the grounds upon which they were concluded. Lord Nugent said he should, and for two reasons—first, because he wished to separate the question of maintaining a standing army from the expediency of keeping up some force, as it was the manner, and not the expediency of the measure, to which he objected; and secondly, because he wished to take the sense of the House upon the propriety of the proroguing parliament for so long a period, pending such important negociations.

HOUSE OF COMMONS.

Friday, February 2.

Mr. Brougham gave notice, that on Thursday next he should move an Address to the Prince Regent on the subject of certain recent transactions in Spain.—Sir S. Romilly gave notice, that on Wednesday next he should move for leave to bring in a Bill to render Freehold Estates liable for the payment of Simple Contract Debts.—Mr. Bennet observing a right hon. gentleman in his place, wished to ask him if any steps had been taken to carry into execution the recommendation contained in a report of a committee of the House of last session, relative to the three prisons of the King's Bench, Marshalsea and Fleet?—Mr. Addington answered, that a copy of the Report had been transmitted to the Chief Justice of the court of King's Bench, and was at present under his consideration. With respect to the two other prisons, the Prince Regent had thought proper to adopt the suggestions of the committee, and commissioners had been accordingly appointed. This was all that he knew relative to this subject.—Mr. Bennet wished to know why an exception had been made in the case of the King's Bench prison?—Mr. Addington said, he believed that an option was left either to transmit the Report to the Judges or to appoint commissioners to investigate the subject.—Mr. Grenfell gave notice, that on Tuesday se'nnight he should submit a motion to the House relative to the subsisting engagements between the Bank of England and the public.

PROPERTY TAX.] Mr. *Baring* wished to put some questions to the right hon. the Chancellor of the Exchequer, on a subject which now considerably agitated the public mind; he meant the Property-tax. His first question would be, whether it was the intention of the right hon. gentleman simply to propose the renewal of the Property-tax to the amount of five per cent. with only some few modifications in the Act; or whether it was his intention entirely to remove those inquisitorial powers, which had been the subject of such great complaints? Secondly, he wished to know, whether his object in proposing the renewal of this Tax was merely for a temporary purpose of reducing the national debt, or whether he looked to it as a permanent source of revenue? And as it had been stated pretty broadly that in no case should the sinking-fund be touched, he wished to know whether the whole of this fund was to be kept operative for the complete reduction of the national debt, or whether a part of it might not still be touched in the way of a loan.

The *Chancellor of the Exchequer* admitted that these questions had been put to him in a very clear and candid manner. It was his wish to conceal nothing from the House with respect to this subject. The measure he intended to propose would be founded on the basis of the present act; but it was not his intention to propose the renewal of all its provisions, and he meant to propose some modifications. The object of those modifications would be to remove a part of the pressure from some classes of society, but by no means to exempt any class of the community from contributing its fair proportion. As to the duration of the tax, he should propose it, not as a permanent tax, but as a continuation of a war tax for a certain time. He should propose the continuance of it for two or three years, when it would be again open to the wisdom of Parliament to dispose of it as they should think proper. The question of its probable duration appeared to be now premature, and it was a question upon which he had by no means made up his own mind. As to the sinking-fund, it was his wish that, for the present year, the whole of the sinking-fund should be left in full operation for the reduction of the national debt. He wished it to be entirely appropriated to this purpose, as long as the public credit required this support. It was upon the faith of the Act of 1792 that by far the greater part of the present public debt was contracted. On the faith of this Act the subscribers had lent their money, and Parliament had guaranteed it in accepting the loans. He thought, therefore, that that Act could not be departed from, except upon grounds which were equally for the interest of the public creditor as for the public itself. The act of 1813 was founded upon this principle; but there was no provision of it which was applicable to a state of peace. He was sure the hon. gentleman could not expect him to give any pledge with respect to the future conduct of Parliament on the subject; but he wished to disclaim, for his own part, any intention of touching the sinking-fund, in a manner which could affect the public credit.

Mr. *Baring* wished to know whether, while he allowed the whole of the sinking-fund to go to the reduction of the national debt, the right hon. gentleman had any intention of adding to this debt by proposing a loan?

The *Chancellor of the Exchequer* said, that he could not answer a question which must depend upon so many circumstances. He certainly did not mean to preclude himself from loans on the principle of the Act of 1813, if such loans should be necessary for the service of the country.

Mr. *Brougham* wished to know whether, in the income tax that was to be proposed, any relief would be given to the present pressure on the cultivators of lands? He also wished to know whether the tax on leather, and upon horses used in agriculture, would be taken off?

The *Chancellor of the Exchequer* said, that it was impossible for him, at this early period of the session, to answer those questions. The attention of Parliament would certainly be called to the present state of the agricultural interest.

Mr. *W. Smith* gave notice, that on an early day, he should call the attention of the House to the practice in the Court of Exchequer of granting extents in aid of any person who, by his affidavit, declared himself to be a debtor of the Crown. It was not his object to interfere with extents really issued to recover debts due to the Crown; but it was to prevent the abuse of private debts being recovered in this manner, without the regular forms of law.

THE PRINCE REGENT'S SPEECH ON OPENING THE SESSION.] Mr Methuen brought up the report of the Address on the Prince Regent's Speech, which was read a first time. On the question of its second reading,

Mr. *Baring* said, he could not avoid expressing his regret that the Address did not contain any expression of regret, on the part of the House, that parliament had not been sooner assembled. An earlier meeting of parliament was necessary, both on account of the foreign negociations that were pending, and on account of the unexampled distress which had fallen upon individuals. Yet it was in times of unexampled distress that ministers had resolved upon a prorogation of unexampled length. Although this distress fell most heavily upon the agricultural interests, yet there was no department of commerce with which he was acquainted, that did not also feel an unusual pressure. The Address spoke of the prosperous state of our commerce, manufactures, and trade. He was sorry, however, to say that he believed the very contrary to be the fact. Although, on the part of the agricultural interests, the distress was greatest, and indeed extreme, yet distress had also pervaded every branch of commerce. He did not state this by way of imputing any blame to ministers, as if they had caused the distress, or could have helped it; but he thought that, in such a state of things, they were most reprehensible for not having assembled parliament sooner. By the declaration from the throne, however, it would appear as if we were in the most comfortable state imaginable. As to calculating the prosperity of our trade from the increase of exports in the last year, it was well known that the reason of that increase was, that the trade with America having been long stopped by the war there was an unusual export to that country the year after its termination. He believed, however, that instead of reckoning this great export to America as a proof of the prosperity of our commerce, it would be found that there had been more loss than gain in this great increase of export. As to the favourable predictions of the right hon. gentleman with respect to our financial prospects, he should be sincerely rejoiced to find those predictions realized. If they were realized, this country would indeed present a most extraordinary phenomenon of a country impoverished in all its resources, and yet consuming the same quantity of exciseable articles as when the different classes of the community were in circumstances more affluent. If the reduction of revenue had not immediately taken place, he attributed it, in a great measure, to the circumstance that people could not immediately limit their consumption and customary wants, although they knew their circumstances to be impaired. As to the assessed taxes, it was not at the option of individuals to make an immediate retrenchment. It was not sufficient to get rid of their carriages, horses, and so forth; but they were required by the act to give a certain notice of their intention of putting down those things, before they could relieve themselves from the tax.—There was another part of the Address in which he could not agree, and that was, the warm congratulation respecting the island of Ceylon. When the war with the king of Candy was finished there was almost as great a parade made about this victory as that of Waterloo. A great many captured colours were sent over, all made of the best silk, and just as pretty playthings as the trophies of the celebrated field of Waterloo. It was, however, a little extraordinary, that at a time when so much had been said of this country being the rallying point of legitimate governments, this point of legitimacy did not appear to be much attended to in the island of Ceylon. The title of king of Candy would probably be added to that of "defender of the faith," and those other brilliant titles which adorn our crown: and yet, in taking this brilliant title, there would be some departure from the boasted principle of legitimacy. In general Brownrigg's proclamation, after mentioning the long name and titles of his Candian Majesty (which he would not now venture to repeat), the general says, that "having been in the habitual violation of the most sacred duties of a sovereign, he was thereby declared to be fallen and deposed from the office of a king." He might congratulate ministers on having so good a whig governor in Ceylon. He found no fault with these expressions, although they were a little at variance with the doctrine of legitimacy that was now so much cried up. As to the term "the office of king," perhaps general Brownrigg might have subjected himself to some slight reprimand, for using so coarse and unceremonious a phrase applied to that high station. However, not only the king of Candy was deposed, but all his relations in the ascending, descending, and collateral line were cut off for ever from the succession. He did not doubt but that this king of Candy had committed many enormities for which he deserved to lose his throne: but he believed that there was another king who had committed quite as great enormities, and whom we were at great trouble in setting upon a throne. The question of our conduct in the dethroning this king, and possessing ourselves of his territories, was certainly a question which required much consideration before he could be satisfied with the justice of it. As to the cant about legitimacy, he thought it was likely to produce mischief. To the people it could do no good, but it might put into the heads of some weak and wicked princes, that they had other titles to rule besides those upon which a good government rested its support.

Mr. *Marryat* admitted that distress prevailed in the country to a considerable extent, but considered it as the necessary and unavoidable consequence of the events that had taken place. The price of commodities had also materially risen: this likewise was an inevitable consequence of the same course of things, and unless that course continued, it was impossible that our commerce should continue on the same scale in which it had lately been carried on. The pressure of the moment had fallen chiefly on the body of exporters; but it had become almost necessary that some check should be given to inordinate speculation. However severe the regimen that circumstances had produced, he considered it on the whole as salutary and wholesome. Still he admitted that the severity of distress prevailed in many instances; but if ministers would take the situation of the country into their serious consideration; if they would, to the best of their power, apportion among the different branches of society the burthens to be borne by the public, this would be found the most effectual means to make our revenue and expenditure meet. The measures in contemplation with regard to the mode in which the exigencies of the country were to be supplied, were not of a permanent, but of a temporary nature. He thought, therefore, there was no inconsistency in the statement that our commerce and revenue were in a flourishing state, and he could not reproach himself with having acted wrong in voting for the Address.

Mr. *Lockhart* agreed, that for the most part the distress that prevailed was temporary; but he could not consider this to be the case with the agricultural interest. The pressure on that portion of society was not occasioned by any temporary or transient causes, but arose from the operation of positive laws; and it was not till these laws were repealed that agriculture could again hold up its head. It arose from that system of taxation that operated almost exclusively upon the husbandman; and if this system were continued, the agriculture of this country could never retrieve itself. He thought some mode must be adopted of apportioning taxation equally among the different branches of society; and certain he was that none could be gainers by the distress of the agriculturist. However the stockholder might at present seem to have the advantage, he would find in the end that the prosperity of agriculture was the only firm basis of security. He observed, that one part of the address from the throne recommended union among all classes of society, to ensure that prosperity which could not fail to ensue from the success we had enjoyed. He did not know exactly what was meant by this; he was aware of no disunion, unless we could designate as such that spirit which actuated every individual to save himself as far as possible from the gripe of exclusive taxation; but certainly the greatest disunion might prevail unless all were willing to bear the weight of equal taxation. There were several taxes, bearing excessively on the agriculturist, which must be repealed. There was the Malt-tax; a tax which amounted almost to a prohibition of that article; a tax which operated most cruelly on the industrious peasant, who could not now obtain a drop of that invigorating beverage so necessary to the discharge of his laborious functions. He thought we should review our taxes as they affected the titheholders. When agricultural produce bore a high price, every tax upon that produce operated as a bonus on tithes, because they always rose in proportion to the nominal price of commodities. But though the sellers of some commodities were no losers by the imposition of a tax (as was the case, for instance, with the wine-merchant), yet it was not so with the farmer: in agriculture there was such a competition, that the smaller farmers could not wait for a rise of price, but must bring their goods to market immediately. If, therefore, other duties were to be lessened, we must at least be careful to impose no taxes on agriculture, in which the titheholders should not also participate. The titheholder, we must remember, was a gainer by all improvements, although he was at no expense towards their adoption. Upon the whole, he was convinced that our agriculture, unless assisted, must very soon fail to supply the necessities of the country. He had taken the liberty of saying these few words, because he was acquainted with many practical agriculturists, and he was certain that there never was a time in which not only tenants, but landlords also, felt greater depression and distress, and that unless we altered the system, we should find this not the height, but the beginning of all our evils. The artificial currency of the country he considered as one cause, and as a great aggravation of the distress that prevailed. He did not say that we could altogether remedy this distress, but he thought it incumbent on the House to direct all their attention to lighten the burthens of the agriculturist, and put him on a fair relation with the titheholder and landholder. He had made these observations from no selfish motives; the little property he possessed was almost equally divided, partly real and partly funded; but he was convinced that our security must ultimately depend on the protection afforded the agricultural interest.

The Address was then agreed to, and ordered to be presented by such members as were members of the privy council.

COPY OF THE GENERAL TREATY SIGNED IN CONGRESS AT VIENNA.] Lord Castlereagh presented to the House, by command of the Prince Regent, a Paper intituled, "General Treaty, signed in Congress at Vienna, June 9, 1815, with the Acts thereunto annexed." Of which the following is a translation:

GENERAL TREATY,

SIGNED

IN CONGRESS,

AT VIENNA, JUNE 9, 1815; WITH THE

ACTS

THEREUNTO ANNEXED.

LIST.

GENERAL TREATY of Congress, signed at Vienna, 9 June, 1815.

1. *Treaty between Russia and Austria, 21 April, 3 May.*
2. *Treaty between Russia and Prussia, 21 April, 3 May.*
3. *Additional Treaty, relative to Cracow, between Austria, Prussia, and Russia, 21 April, 3 May.*
   Constitution of the Free City of Cracow, 3 May.
4. *Treaty between Prussia and Saxony, 18 May.*
5. *Declaration of the King of Saxony, and Acceptation, on the rights of the House of Schoenburg, 18 & 19 May.*
6. *Treaty between Prussia and Hanover, 29 May.*
7. *Convention between Prussia and the Grand Duke of Saxe-Weimar, 1 June.*
8. *Convention between Prussia and the Duke and Prince of Nassau, 31 May.*
9. *Federative Constitution of Germany, 8 June.*
10. *Treaty between the King of the Low Countries and Prussia, England, Austria, and Russia, 31 May.*
    Act for the acceptance of the Sovereignty of the Belgic Provinces, by his Royal Highness, signed at the Hague, 21 July, 1814.
11. *Declaration of the Powers on the affairs of the Helvetic Confederacy, signed at Vienna, 20 March, 1815.*
    Acceptance of the Diet of the Swiss Confederation, signed at Zurich, 27 May.
12. *Protocol on the cessions made by the King of Sardinia to the Canton of Geneva, signed at Vienna, 29 March.*
13. *Treaty between the King of Sardinia, Austria, England, Russia, Prussia, and France, 20 May.*
14. *Conditions which are to serve as the bases of the union of the Genoese States to those of his Sardinian Majesty, 20 May.*
    Cession made by his Majesty the King of Sardinia, to the Canton of Geneva, 20 May.
15. *Declaration of the Powers regarding the abolition of the Slave Trade, 8 February.*
16. *Regulations for the free navigation of rivers, 8 February.*
    Articles concerning the navigation of the Rhine, 8 February.
    Articles concerning the navigation of the Necker, of the Mayne, of the Moselle, of the Meuse, and of the Scheldt, 8 February.
17. *Regulation concerning the precedence of Diplomatic Agents, 19 March.*

GENERAL TREATY.

(Translation.)

In the name of the Most Holy and Undivided Trinity.

The Powers who signed the Treaty concluded at Paris on the 30th of May 1814, having assembled at Vienna, in pursuance of the 32d Article of that Act, with the princes and states their Allies, to complete the provisions of the said Treaty, and to add to them the arrangements rendered necessary by the state in which Europe was left at the termination of the last war, being now desirous to embrace, in one common transaction, the various results of their negociations, for the purpose of confirming them by their reciprocal ratifications, have authorized their Plenipotentiaries to unite, in a general instrument, the regulations of superior and permanent interest, and to join to that act, as integral parts of the arrangements of Congress, the Treaties, Conventions, Declarations, Regulations, and other particular acts, as cited in the present Treaty. And the above-mentioned powers having appointed Plenipotentiaries to the Congress, that is to say:

His majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Clement-Venceslas-Lothaire, Prince de Metternich-Winnebourg-Ochsenhausen, Knight of the Golden Fleece, Grand-Cross of the Royal Order of St. Stephen, Knight of the Orders of St. Andrew, of St. Alexander-Newsky, and of St. Anne of the First Class, Grand Gordon of the Legion of Honour, Knight of the Order of the Elephant, of the Supreme Order of the Annunciation, of the Black Eagle and the Red Eagle, of the Seraphim, of St. Joseph of Tuscany, of St. Hubert, of the Goldon Eagle of Wurtemberg, of Fidelity of Baden, of St. John of Jerusalem, and of several others; Chancellor of the military Order of Maria-Theresa, a Trustee of the Academy of the Fine Arts, Chamberlain, Privy Councillor of his Majesty the Emperor of Austria, King of Hungary and Bohemia, his Minister of State, of Conferences, and of Foreign Affairs; and the Sieur John-Philip, Baron de Wessenberg, Knight Grand-Cross of the Military and Religious Order of St. Maurice and St. Lazarus, Grand-Cross of the Order of the Red Eagle of Prussia, and of the Crown of Bavaria, Chamberlain, and Privy Councillor of his Imperial and Royal Apostolic Majesty.

His Majesty the King of Spain, and the Indies, Don Peter Gomez Labrador, Knight of the Royal and distinguished Order of Charles 3; his Counsellor of State.

His Majesty the King of France and Navarre, the Sieur Charles Maurice de Talleyrand-Perigord, Prince of Talleyrand, Peer of France, Minister, Secretary of State in the Department of Foreign Affairs, Grand-Cordon of the Legion of Honour, Knight of the Order of the Golden Fleece, Grand Cross of the Order of St. Stephen of Hungary, of the Order of St. Andrew, of the Orders of the Black Eagle and the Red Eagle, of the Order of the Elephant, of the Order of St. Hubert, of the Crown of Saxony, of the Order of St. Joseph, of the Order of the Sun of Persia, &c. &c. &c. The Sieur Duke d'Alberg, Minister of State to his Majesty the King of France and Navarre, Grand-Cordon of the Legion of Honour, of that of Fidelity of Baden, and Knight of the Order of St. John of Jerusalem; the Sieur Count Gouvernet de Latour du Pin, Knight of the Royal and Military Order of St. Louis, and of the Legion of Honour, Envoy Extraordinary and Minister Plenipotentiary of his said Majesty to his Majesty, the King of the Netherlands; and the Sieur Alexis Count de Noailles, Knight of the Royal and Military Order of St. Louis, Grand-Cross of the Royal and Military Order of St. Maurice and St. Lazarus, Knight of the Order of St. John of Jerusalem, of Leopold of St. Wolodimir, of Merit of Prussia, and Colonel in the service of France.

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Robert Stewart, Viscount Castlereagh, Privy Counsellor of his said Majesty, Member of Parliament, Colonel of the Londonderry Regiment of Militia, his principal Secretary of State for Foreign Affairs, and Knight of the most noble Order of the Garter, &c. &c. &c. The most excellent and most illustrious Lord Arthur Wellesley, Duke, Marquess, and Earl of Wellington, Marquess Douro, Viscount Wellington of Talavera and of Wellington, and Baron Douro of Wellesley, Privy Councillor of his said Majesty, Marshal of his armies, Colonel of the Royal Regiment of Horse-Guards, Knight of the most noble Order of the Garter, and Knight Grand-Cross of the most honourable Military Order of the Bath: Duke of Ciudad Rodrigo, and Grandee of Spain of the First Class, Duke of Vittoria, Marquess of Torres Vedras, Conde de Vimeira in Portugal; Knight of the most illustrious Order of the Golden Fleece, of the Military Order of St. Ferdinand of Spain, Knight Grand-Cross of the Imperial and Military Order of Maria-Theresa, Knight Grand-Cross of the Military Order of St. George of Russia of the First Class; Knight Grand-Cross of the Royal and Military Order of the Tower and Sword of Portugal; Knight Grand-Cross of the Royal and Military Order of the Sword of Sweden, &c. &c. &c. The right honourable Richard Le Poer Trench, Earl of Clancarty, Viscount Dunlo, Baron Kilconnel, Privy Councillor of his said Majesty, President of the Committee of Council for the Affairs of Trade and Colonies, Post-Master-General, Colonel of the Galway Regiment of Militia, and Knight Grand-Cross of the most honourable Order of the Bath. The right honourable William Shaw, Earl Cathcart, Viscount Cathcart, Baron Cathcart and Greenock, Peer of Parliament, Privy Councillor of his said Majesty, Knight of the most ancient and most honourable Order of the Thistle, and of the Orders of Russia, General of his armies, Vice-admiral of Scotland, Colonel of the second regiment of Life-Guards, his Ambassador Extraordinary and Plenipotentiary to his Majesty the Emperor of all the Russias. And the right honourable Charles William Stewart, Lord Stewart, a Lord of his Majesty's bed-chamber, Privy Councillor of his said Majesty, Lieutenant-general of his armies, Colonel of the twentieth Regiment of Light Dragoons, Governor of Fort Charles in Jamaica, Knight Grand-Cross of the most honourable military Order of the Bath, Knight Grand-Cross of the Orders of the Black and Red Eagle of Prussia, Knight Grand-Cross of the Order of the Tower and

Sword of Portugal, and Knight of the Order of St. George of Russia.

His royal highness the Prince Regent of the kingdoms of Portugal and the Brazils, the Sieur Don Peter de Sousa Holstein, Count of Palmella, a member of his council, Commander of the Order of Christ, captain of the German Company of Body Guards, Grand Cross of the royal and distinguished Order of Charles 3 of Spain. The Sieur Antonio de Saldanha da Gama, a member of his Council and of the Finances, his Envoy Extraordinary and Minister Plenipotentiary to his majesty the Emperor of all the Russias, Commander of the Military Order of St. Benedict of Avez, First Equerry to her royal highness the Princess of Brazil. And the Sieur Don Joachim Lobo da Silveira, a member of his Council, Commander of the Order of Christ.

His majesty the King of Prussia, the Prince Hardenberg, his Chancellor of State, Knight of the Grand Orders of the Black Eagle and the Red Eagle, of St. John of Jerusalem, and of the Iron Cross of Prussia, of the Orders of St. Andrew, of St. Alexander Newsky, and of St. Anne of the first class of Russia, Grand Cross of the Royal Order of St. Stephen of Hungary, Grand Cordon of the Legion of Honour, Grand Cross of the Order of Charles 3 of Spain, of St. Hubert of Bavaria, of the Supreme Order of the Annunciation of Sardinia, Knight of the Order of the Seraphim of Sweden, of the Elephant of Denmark, of the Golden Eagle of Wurtemberg, and of several others. And the Sieur Charles William, Baron de Humboldt, his Minister of State, Chamberlain, Envoy Extraordinary and Minister Plenipotentiary to his Imperial and Royal Apostolic Majesty, Knight of the Grand Order of the Red Eagle, and of the Iron Cross of Prussia of the first class, Grand Cross of the Order of St. Anne of Russia, of the Order of Leopold of Austria, and of the Crown of Bavaria.

His majesty the Emperor of all the Russias, the Sieur Andrew, Prince de Rasoumoffsky, his Privy Councillor, Senator, Knight of the Orders of St. Andrew, of St. Wolodimir, of St. Alexander Newsky, and of St. Anne of the first class, Grand Cross of the Royal Order of St. Stephen, and of those of the Black Eagle and the Red Eagle of Prussia. The Sieur Gustavus Count de Stackelberg, his Privy Counsellor, Envoy Extraordinary and Minister Plenipotentiary to his Imperial and Royal Apostolic Majesty, Chamberlain, Knight of the Order of St. Alexander Newsky, Grand Cross of the Order of St. Wolodimir and of St. Anne of the first class, Grand Cross of the Order of St. Stephen, of the Black Eagle and the Red Eagle of Prussia. And the Sieur Charles, Count de Nesselrode, his Privy Councillor, Chamberlain, Secretary of State for Foreign Affairs, Knight of the Order of St. Alexander Newsky, Grand Cross of the Order of St. Wolodimir of the second class, of St. Stephen of Hungary, of the Red Eagle of Prussia, of the Polar Star of Sweden, and of the Golden Eagle of Wurtemberg.

His majesty the King of Sweden and Norway, the Sieur Charles Axel, Count de Lowenhielm, Major-general of his Armies, Colonel of a regiment of Infantry, Chamberlain, his Envoy Extraordinary and Minister Plenipotentiary to his majesty the Emperor of all the Russias, Vice Chancellor of his Orders, Commander of his Order of the Polar Star, and Knight of the Order of the Sword; Knight of the Orders of Russia, of St. Anne of the first class, and of St. George of the fourth class; Knight of the Prussian Order of the Red Eagle of the first class, and Commander of the Order of St. John of Jerusalem.

Such of the above Plenipotentiaries as have assisted at the close of the negociations, after having produced their full powers, found in good and due form, have agreed to place in the said general Instrument, the following Articles, and to affix to them their signatures:

ARTICLE I. The duchy of Warsaw, with the exception of the provinces and districts which are otherwise disposed of by the following Articles, is united to the Russian empire, to which it shall be irrevocably attached by its constitution, and be possessed by his majesty the Emperor of all the Russias, his heirs and successors in perpetuity. His Imperial Majesty reserves to himself to give to this State, enjoying a distinct Administration, the interior improvement which he shall judge proper. He shall assume with his other titles that of Czar, King of Poland, agreeably to the form established for the titles attached to his other possessions.—The Poles, who are respective subjects of Russia, Austria, and Prussia, shall obtain a representation, and national institutions, regulated according to the degree of political consideration, that each of the governments to which they belong shall judge expedient and proper to grant them.

ART. II. The part of the duchy of Warsaw which his majesty the King of Prussia shall possess in full sovereignty and property, for himself, his heirs, and successors, under the title of the Grand Duchy of Posen, shall be comprised within the following line:

Proceeding from the frontier of Eastern Prussia to the village of Neuhoff, the new limit shall follow the frontier of Western Prussia, such as it subsisted from 1772 to the Peace of Tilsit, to the village of Leibitsch, which shall belong to the duchy of Warsaw; from thence shall be drawn a line, which, leaving Kompania, Grabowiec, and Szczytno to Prussia, passes the Vistula, near the last-mentioned place, from the other side of the river, which falls into the Vistula opposite Szczytno, to the ancient limit of the district of the Netze, near Gross Opoczko, so that Sluzewo shall belong to the duchy, and Przylranowa, Hollander, and Maciejewo, to Prussia. From Gross Opoczkzo it shall pass by Chlewiska, which shall remain to Prussia, to the village of

Przybyslaw, and from thence by the villages of Piaski, Chelmce, Witowiczki, Kobylinka, Woyezyn, Orchowo, to the town of Powidz. From Powidz it shall continue by the town of Slupee to the point of confluence of the rivers Wartha and Prosna. From this point it shall re-ascend the course of the river Prosna to the village of Koscielnawies, to within one league of the town of Kalisch. Then leaving to that town (on the side of the left bank of the Prosna) a semi-circular territory measured by the distance from Koscielnawies to Kalisch, the line shall return to the course of the Prosna, and shall continue to follow it, re-ascending by the towns of Grabow, Wieruszow, Boleslawice, so as to terminate near the village of Gola, upon the frontier of Silesia opposite Pitschin.

ART. III. His Imperial and Royal Apostolic Majesty shall possess, in full property and sovereignty, the salt-mines of Wieliczka, and the territory thereto belonging.

ART. IV. The way or bed of the Vistula shall separate Gallicia from the territory of the free town of Cracow. It shall serve at the same time as the frontier between Gallicia and that part of the ancient duchy of Warsaw united to the states of his majesty the Emperor of all the Russias, as far as the vicinity of the town of Zavichost. From Zavichost to the Bug, the dry frontier shall be determined by the line drawn in the Treaty of Vienna of 1809, excepting such modifications as by common consent may be thought necessary to be introduced. The frontier from the Bug shall be re-established on this side between the two empires, such as it was before the said Treaty.

ART. V. His majesty the Emperor of all the Russias, cedes to his Imperial and Royal Apostolic Majesty the districts which have been separated from Eastern Gallicia, in consequence of the Treaty of Vienna of 1809, from the circles of Zloozow, Brzezan, Tarnopole, and Zalesczyk, and the frontiers on this side shall be re-established, such as they were before the date of the said Treaty.

ART. VI. The town of Cracow, with its territory, is declared to be for ever a free, independant, and strictly neutral city, under the protection of Austria, Russia, and Prussia.

ART. VII. The territory of the free town of Cracow shall have for its frontier upon the left bank of the Vistula, a line which, beginning at the spot near the village of Woliça, where a stream falls into the Vistula, shall ascend this stream by Clo, and Koscielniki as far as Czulice, so that these villages may be included in the district of the free town of Cracow: from thence passing along the frontiers of these villages, the line shall continue by Dziekanovice, Garlice, Tomaszou, Karniowice, which shall also remain in the territory of Cracow, to the point where the limit begins which separates the district of Krzeszowice from that of Olkusz; from thence it shall follow this limit between the two said provinces, till it reaches the frontiers of Silesian Prussia.

ART. VIII. His majesty the Emperor of Austria, wishing particularly to facilitate as much as possible on his part, the commercial relations and good neighbourhood between Galicia and the free towns of Cracow, grants for ever to the town of Podgorze, the privileges of a free commercial town, such as are enjoyed by the town of Brody. This liberty of commerce shall extend to a distance of 500 toises from the barrier of the suburbs of the town of Podgorze. In consequence of this perpetual concession, which nevertheless shall not affect the rights of sovereignty of his Imperial and Royal Apostolic Majesty, the Austrian custom-houses shall be established only in places situated beyond that limit. No military establishment shall be formed that can menace the neutrality of Cracow, or obstruct the liberty of commerce which his Imperial and Royal Apostolic Majesty grants to the town and district of Podgorze.

ART. IX. The Courts of Russia, Austria, and Prussia engage to respect, and to cause to be always respected, the neutrality of the free town of Cracow and its territory. No armed force shall be introduced upon any pretence whatever. On the other hand it is understood and expressly stipulated that no asylum shall be afforded in the free town and territory of Cracow, to fugitives, deserters and persons under prosecution, belonging to the country of either of the High Powers aforesaid; and in the event of the demand of their surrender by the competent authorities, such individuals shall be arrested and given up without delay, and conveyed, under a proper escort, to the guard appointed to receive them at the frontier.

ART. X. The dispositions of the constitution of the free town of Cracow, concerning the Academy, the Bishopric and Chapter of that town, such as they are specified in the 7th, 15th, 16th and 17th Articles of the additional Treaty relative to Cracow, which is annexed to the present General Treaty, shall have the same force and validity as if they were textually inserted in this Act.

ART. XI. A full, general, and special amnesty shall be granted in favour of all individuals, of whatever rank, sex, or condition they may be.

ART. XII. In consequence of the preceding Article, no person in future shall be prosecuted or disturbed, in any manner, by reason of any participation, direct or indirect, at any time, in the political, civil, or military events in Poland. All proceedings, suits, or prosecutions are considered as null, the sequestrations and provisional confiscations shall be taken off, and every Act promulgated on this ground shall be of no effect.

ART. XIII. From these general regulations on the subject of confiscations are excepted all those cases in which edicts or sentences, finally pronounced have already been fully executed, and have not been annulled by subsequent events.

ART. XIV. The principles established for the free navigation of rivers and canals, in the whole extent of ancient Poland, as well as for the trade to the ports, for the circulation of articles the growth and produce of the different Polish provinces, and for the commerce, relative to goods in transitu, such as they are specified in the 24th, 25th, 26th, 28th and 29th Articles of the Treaty between Austria and Russia, and in the 22nd, 23rd, 24th, 25th, 28th and 29th Articles of the Treaty between Russia and Prussia, shall be invariably maintained.

ART. XV. His Majesty the King of Saxony renounces in perpetuity for himself and all his descendants and successors, in favour of his Majesty the King of Prussia, all his right and title to the provinces, districts, and territories, or parts of territories, of the kingdom of Saxony, hereafter named; and his Majesty the King of Prussia shall possess those countries in complete sovereignty and property, and shall unite them to his monarchy. The districts and territories thus ceded, shall be separated from the rest of the kingdom of Saxony by a line, which henceforth shall form the frontier between the Prussian and Saxon territories, so that all that is comprised in the limit formed by this line, shall be restored to his Majesty the King of Saxony; but his Majesty renounces all those districts and territories that are situated beyond that line, and which belonged to him before the war.

The line shall begin from the frontiers of Bohemia near Wiese, in the neighbourhood of Seidenberg, following the stream of the river Wittich, until its junction with the Neisse. From the Neisse it shall pass to the circle of Eigen, between Tauchritz, which shall belong to Prussia, and Bertschoff, which shall remain to Saxony; then it shall follow the northern frontier of the circle of Eigin, to the angle between Pulsdorf and Ober-Schland; thence it shall be continued to the limits that separate the circle of Gorlitz from that of Bautzen, in such a manner that Ober-Mettel and Neider-Schland-Olich, and Radewitz, remain in the possession of Saxony. The great post-road between Gorlitz and Bautzen shall belong to Prussia, as far as the limits of the said circles. Then the line shall follow the frontier of the circle to Dubraucke; it shall then extend upon the heights to the right of the Lobauer-Wasser, so that this rivulet, with its two banks, and the places upon them, as far as Neudorf, shall remain, with this village, to Saxony. The line shall then fall again upon the Spree, and the Schwarz-Wasser, Liska, Hermsdorf, Ketten, and Solahdorf, are assigned to Prussia.

From the Schwarze-Elster, near Solchdorf, a right line shall be drawn to the frontier of the lordship of Konigsbruck, near Grossgrabchen. This lordship remains to Saxony, and the line shall follow its northern boundary as far as the Bailiwick of Grossenhayn, in the neighbourhood of Ortrand: Ortrand, and the road from that place by Merzdorf, Stolzenhayn, and Grobeln, to Muhlberg (with the villages on that road, so that no part of it remain beyond the Prussian Territory), shall be under the government of Prussia. The frontier from Grobeln shall be traced to the Elbe near Fichtenberg, and then shall follow the bailiwick of Muhlberg. Fichtenberg shall be the property of Prussia. From the Elbe to the frontier of the country of Merseburg, it shall be so regulated that the bailiwicks of Torgau, Eilenburg, and Delitsch, shall pass to Prussia, while those of Oschatz, Wurzen, and Leipsic, shall remain to Saxony. The line shall follow the frontier of these bailiwicks, dividing some inclosures and demi-inclosures. The road from Muhlberg to Eilenburg shall be wholly within the Prussian territory. From Podelwitz (belonging to the bailiwick of Leipsic, and remaining to Saxony) as far as Eytra, which also remains to her, the line shall divide the country of Merseburg in such a manner that Breitenfeld, Haenichen, Gross and Klein-Dolzig, Mark-Ranstadt and Knaut-Nauendorf, remain to Saxony; and Modelwitz, Skenditz, Klein-Liebenau, Alt-Ramstadt, Schkohlen and Zietschen, pass to Prussia.

From thence the line shall divide the bailiwick of Pegau, between the Floss-graben and the Weisse-Elster; the former, from the point where it separates itself above the town of Crossen (which forms part of the bailiwick of Haynsburg) from the Weisse-Elster, to the point where it joins the Saale below the town of Merseburg, shall belong, in its whole course between those two towns, with both its banks, to the Prussian territory. From thence, where the frontier touches upon that of the country of Zeitz, the line shall follow it as far as the boundary of the country of Altenburg, near Luckau. The frontiers of the circle of Neustadt, which wholly falls under the dominion of Prussia, remain untouched. The inclosures of Voigtland, in the district of Reuss, that is to say Gefall, Blintendorf, Sparenberg, and Blankenberg, are comprised in the share of Prussia.

ART. XVI. The provinces and districts of the kingdom of Saxony, which are transferred to the dominion of his Majesty the King of Prussia, shall be distinguished by the name of the duchy of Saxony, and his Majesty shall add to his titles those of duke of Saxony, Landgrave of Thuringia, Margrave of the two Lusatias, and count of Henneberg. His Majesty the King of Saxony shall continue to bear the title of Margrave of Upper Lusatia. His Majesty shall also continue, with relation to, and in virtue of his right of eventual succession to the possessions of the Ernestine branch, to bear the title of Landgrave of Thuringia and count of Henneberg.

ART. XVII. Austria, Russia, Great Britain, and France, guarantee, to his Majesty the

King of Prussia, his descendants and successors, the possession of the countries marked out in the 15th Article, in full property and sovereignty.

ART. XVIII. His Imperial and Royal Apostolic Majesty, wishing to give to the King of Prussia a fresh proof of his desire to remove every object of future discussion between their two courts, renounces for himself and his successors, his rights of sovereignty over the Margraviates of Upper and Lower Lusatia, which belonged to him as King of Bohemia, as far as these rights concern the portion of these provinces placed under the dominion of his Majesty the King of Prussia, by virtue of the Treaty with his Majesty the King of Saxony, concluded at Vienna on the 18th of May, 1813.—As to the right of reversion of his Imperial and Royal Apostolic Majesty to the said portion of the Lusatias united to Prussia, it is transferred to the House of Brandenburg now reigning in Prussia, his Imperial and Royal Apostolic Majesty, reserving to himself and his successors, the power of resuming that right in the event of the extinction of the said reigning House. His imperial and Royal Apostolic Majesty renounces also, in favour of his Prussian Majesty, the districts of Bohemia inclosed within the part of Upper Lusatia ceded by the Treaty of the 18th of May 1815, to his Prussian Majesty, which districts comprehend the places of Güntersdorf, Taubentränte, Neukretschen, Nieder-Gerlachsheim, Winkel, and Ginkel, with their territories.

ART. XIX. His Majesty the King of Prussia and his Majesty the King of Saxony, wishing particularly to remove every object of future contest or dispute, renounce, each on his own part, and reciprocally in favour of one another, all feudal rights or pretensions, which they might exercise or might have exercised, beyond the frontiers fixed by the present Treaty.

ART. XX. His Majesty the King of Prussia promises to direct that proper care be taken relative to whatever may affect the property and interests of the respective subjects, upon the most liberal principles. The present Article shall be observed, particularly, with regard to the concerns of those individuals who possess property both under the Prussian and Saxon Governments, to the commerce of Leipsic, and to all other objects of the same nature; and, in order that the individual liberty of the inhabitants, both of the ceded and other provinces, may not be infringed, they shall be allowed to emigrate from one territory to the other, without being exempted, however, from military service, and after fulfilling the formalities required by the laws. They may also remove their property without being subject to any fine or drawback *(Abzugsgeld)*.

ART. XXI. The communities, corporations and religious establishments, and those for public instruction in the provinces ceded by his Majesty the King of Saxony to Prussia, or in the provinces and districts remaining to his Saxon Majesty, shall preserve their property, whatever changes they may undergo, as well as the rents becoming due to them, according to the act of their foundation, or which they have acquired by a legal title since that period under the Prussian and Saxon Governments; and neither party shall interfere in the administration and in the collection of the revenues provided that they be conducted in a manner conformable to the laws, and that the charges be defrayed, to which all property or rents of the like nature are subjected, in the territory in which they occur.

ART. XXII. No individual domiciliated in the provinces which are under the dominion of his Majesty the King of Saxony, any more than an individual domiciliated in those which by the present Treaty pass under the dominion of the King of Prussia, shall be molested in his person, his property, rents, pensions or revenues of any kind, in his rank or dignities, nor be prosecuted or called to account in any manner, for any part which he, either in a civil or military capacity, may have taken in the events that have occurred since the commencement of the war, terminated by the Peace concluded at Paris on the 30th of May 1814. This Article equally extends to those who, not being domiciliated in either part of Saxony, may possess in it landed property, rents, pensions or revenues of any kind.

ART. XXIII. His Majesty the King of Prussia having in consequence of the last war, reassumed the possession of the provinces and territories which had been ceded by the Peace of Tilsit, it is acknowledged and declared by the present Article that his Majesty, his heirs and successors, shall possess anew, as formerly, in full property and sovereignty, the following countries, that is to say:—Those of his ancient provinces of Poland specified by Article II; the city of Dantzic and its territory, as the latter was determined by the Treaty of Tilsit; the circle of Cottbus; the Old March; the part of the circle of Magdeburg situated on the left bank of the Elbe, together with the circle of the Saale; the principality of Halberstadt, with the lordships of Derenbourg, and of Hassenrode; the town and territory of Quedlinburg (save and except the rights of her royal highness the princess Sophia Albertine of Sweden, Abbess of Quedlinburg, conformably to the arrangements made in 1803); the Prussian part of the county of Mansfield; the Prussian part of the county of Hohenstein; the Eichsfeld; the town of Nordhausen with its territory; the town of Mulhausen with its territory; the Prussian part of the district of Treffurt with Dosla; the town and territory of Erfurth, with the exception of Klein-Brembach and Balstedt, inclosed in the principality of Weimar, ceded to the Grand Duke of Saxe Wiemar by the 29th Article; the bailiwick of Wandersleben, belonging to the county of Unterg-leichen; the principality of Paderborn, with the Prussian part of the bailiwicks of Schwallenberg, Oldenberg and Stoppelberg, and the jurisdictions *(Gerichte)* of Hagendorn and Odenhausen, situated in the territory of Lippe; the county of Mark, with the part of Lippstadt belonging to it; the county of Werden; the county of Essen; the part of the duchy of Cleves on the right bank of the Rhine, with the town and fortress of Wesel; the part of the duchy, situated on the left bank, specified in Article 25th; the secularized Chapter of Elten; the principality of Munster, that is to say, the Prussian part of the former Bishopric of Munster, with the exception of that part which has been ceded to his Britannic Majesty, King of Hanover, in virtue of the 28th Article; the secularized Provostship of Cappenburg; the county of Teckledberg; the county of Lingen, with the exception of that part ceded to the kingdom of Hanover by Article 27th; the principality of Minden; the county of Ravensberg; the secularised Chapter of Herford; the principality of Neufchatel, with the county of Valengen, such as their frontiers are regulated by the Treaty of Paris, and by the 76th Article of this General Treaty. The same disposition extends to the rights of sovereignty and *suzeraineté* over the county of Wernigerode, to that of high protection over the county of Hohen-Limbourg, and to all the other rights or pretensions whatsoever which his Prussian Majesty possessed and exercised, before the Peace of Tilsit, and which he has not renounced by other treaties, Acts or Conventions.

ART. XXIV. His Majesty the king of Prussia shall unite to his monarchy in Germany, on this side of the Rhine, to be possessed by him and his successors in full property and sovereignty, the following countries:—The provinces of Saxony designated in Article 15, with the exception of the places and territories ceded, in virtue of Article 29, to his highness the Grand Duke of Saxe-Weimar; the territories ceded to Prussia, by his Britannic Majesty, King of Hanover, by Article 29; part of the department of Fulda, and such of the territories comprehended therein as are specified in Article 40; the town and territory of Wetzlar, according to Article 12; the Grand Duchy of Berg with the lordships of Hardenberg, Brock, Styrum, Schöller and Odenthal, formerly belonging to the said Duchy under the Palatine Government; the districts of the ancient archbishopric of Cologne, lately belonging to the Grand Duchy of Berg: the Duchy of Westphalia, as lately possessed by his royal highness the Grand Duke of Hesse; the county of Dortmund; the principality of Corbey; the mediatised districts specified in Article 43. The ancient possessions of the House of Nassau-Dietz having been ceded to Prussia by his Majesty the King of the Netherlands, and a part of these possessions having been exchanged for the districts belonging to their Serene Highnesses the Duke and Prince of Nassau, the King of Prussia shall possess them, in sovereignty and property, and unite them to his monarchy. 1. The principality of Siegen with the bailiwicks of Burbach and Neunkirchen, with the exception of a part containing 12,000 inhabitants, to belong to the Duke and Prince of Nassau. 2. The bailiwicks of Hohen-Solms, Greifenstein, Braunfels, Freusberg, Friedewald, Schönstein, Schönberg, Altenkirchen, Altenwied, Dierdorf, Neuerburg, Linz, Hammerstein, with Engers and Heddesdorf; the town and territory *(Banlieur Gemarkung)* of Newied; the parishes of Hamm, belonging to the bailiwick of Hackenberg; the parish of Horhausen, constituting part of the bailiwick of Horsbach, and the parts of the bailiwicks of Vallendar and Ehrenbreitstein, on the right bank of the Rhine, designated in the Convention concluded between his Majesty the King of Prussia and their Serene Highnesses the Duke and Prince of Nassau, annexed to the present Treaty.

ART. XXV. His Majesty the King of Prussia shall also possess, in full property and sovereignty, the countries on the left bank of the Rhine, included in the frontier herein-after designated:—This frontier shall commence on the Rhine at Bingen: it shall thence ascend the course of the Nahe to the junction of this river with the Glan, and along the Glan to the village of Medarf, below Lauterecken; the towns of Kreutznach and Meisenheim, with their territories, to belong entirely to Prussia; but Lauterecken and its territory to remain beyond the Prussian frontier. From the Glan the frontier shall pass by Medart, Merzweiler, Langweiler, Neideer and Ober Fechenbach, Ellenbach, Chreunchenborn, Ausweiler, Cronweiler, Niederbrambach, Burbach, Boschweiler, Heubweiler, Hambach, and Rintzenberg, to the limits of the Canton of Hermes-Keil; the above places shall be included within the Prussian frontiers, and shall, together with their territories, belong to Prussia. From Rintzenberg to the Sarre the line of demarcation shall follow the cantonal limits, so that the cantons of Hermeskiel and Conz (in which latter, however, are excepted the places on the left bank of the Sarre) shall remain wholly to Prussia, while the cantons of Wadern, Merzig, and Sarrebourg are to be beyond the Prussian frontier.

From the point where the limit of the canton of Conz, below Gomlingen, traverses the Sarre, the line shall descend the Sarre till it falls into the Moselle, thence it shall reascend the Moselle to its junction with the Sarre, from the latter river to the mouth of the Our, and along the Our to the limits of the ancient department of the Ourthe. The places traversed by these rivers shall not at all be divided, but shall belong, with their territories, to the power in whose state the greater part of these places shall be situated; the rivers themselves, in so far as they form the frontier, shall belong in common to the two powers bordering on them. In the old department of the Ourthe, the five cantons of Saint-Vith, Malmedy, Cronenbourg, Schleiden, and Eupen, with the advanced point of the canton of Aubel, to the south of Aix-la-Chapelle, shall belong to Prussia, and the frontier shall follow that of these cantons, so that a line, drawn from north to south, may cut the said point of the canton of Aubel, and be prolonged as far as the point of contact of the three old departments of the Ourthe, the Lower Meuse, and the Roer; leaving that point, the frontier shall follow the line which separates these two last departments till it reaches the river Worm, which falls into the Roer, and shall go along this river to the point where it again touches the limits of these two departments; when it shall pursue that limit to the south of Hillensberg, shall ascend from thence towards the north, and leaving Hillensberg to Prussia, and cutting the canton of Sittard in two parts, nearly equal, so that Sittard, and Susteren remain on the left, shall reach the old Dutch territory; then following the old frontier of that territory, to the point where it touched the old Austrian principality of Gueldres, on the side of Ruremonde, and directing itself towards the most eastern point of the Dutch territory, to the north of Swalmen, it shall continue to inclose this territory.

Then, setting out from the most eastern point, it joins that other part of the Dutch territory in which Venloo is situated, without including the latter town and its district: thence to the old Dutch frontier near Mook, situated below Genep, it shall follow the course of the Meuse, at such a distance from the right bank, as that all the places situated within a thousand Rhenish yards *(Rheinlandische Ruthen)* of this bank, shall, with their territories, belong to the kingdom of the Netherlands; it being well understood, however, in regard to the reciprocity of this principle, that no point of the bank of the Meuse shall constitute a portion of the Prussian territory, unless such point approach to within eight hundred Rhenish yards of it.

From the point where the line just described joins the old Dutch frontier, as far as the Rhine, this frontier shall remain essentially as it was in 1795, between Cleves and the United Provinces. It shall be examined by the commission, which shall be appointed without delay, by the two governments, to proceed to the exact determination of the limits, both of the kingdom of the Netherlands, and the Grand Duchy of Luxembourg, designated in Articles 66 and 68, and this commission shall regulate with the aid of experienced persons, whatever concerns the hydrotechnical constructions, and other analogous points, in the most equitable manner, and conformably to the mutual interests of the Prussian states and of those of the Netherlands. This same disposition extends to the regulation of the limits, in the districts of Kyfwaerd, Lobith, and all the territory to Kekerdom.

The places named Huissen, Malburg, le Lyniers, with the town of Sevenaer, and the lordship of Weel, shall form a part of the kingdom of the Netherlands, and his Prussian Majesty renounces them in perpetuity for himself, his heirs and successors. His Majesty the King of Prussia, in uniting to his states the provinces and districts designated in the present Article, enters into all the rights and takes upon himself all the charges and engagements stipulated with respect to the countries dismembered from France, by the Treaty of Paris of the 30th May, 1814. The Prussian provinces upon the two banks of the Rhine, as far as above the town of Cologne, which shall also be comprised within this district, shall bear the name of Grand Duchy of the Lower Rhine, and his Majesty shall assume the title of it.

ART. XXVI. His Majesty the King of the United Kingdom of Great Britain and Ireland, having substituted to his ancient title of Elector of the Holy Roman Empire, that of King of Hanover, and this title having been acknowledged by all the Powers of Europe, and by the Princes and free towns of Germany, the countries which have till now composed the Electorate of Brunswick Luneburg, according as their limits have been recognized and fixed for the future, by the following Articles, shall henceforth form the kingdom of Hanover.

ART. XXVII. His Majesty the King of Prussia cedes to his Majesty the King of the United Kingdom of Great Britain and Ireland, King of Hanover, to be possessed by his Majesty and his successors, in full property and sovereignty; 1. The principality of Hildesheim, which shall pass under the government of his Majesty, with all the rights and all the charges with which the said principality was transferred to the Prussian government. 2. The town and territory of Goslar. 3. The principality of East Frieseland, including the country called Harlinger-Land, under the conditions reciprocally stipulated in the 30th Article for the navigation of the Ems and the commerce of the port of Embden. The states of the principality shall preserve their rights and privileges. 4. The lower county *(Nieder Graftschaft)* of Lingen, and the part of the principality of Prussian Munster, which is situated between this county and the part of Rheina Wolbeck occupied by the Hanoverian Government; but as it has been agreed that the kingdom of Hanover shall obtain by this cession an accession of territory, comprising a population of 22,000 souls, and, as the lower county of

Lingen and the part of the principality of Munster here mentioned, might not come up to this condition, his Majesty the King of Prussia engages to cause the line of demarcation to be extended into the principality of Munster, as far as may be necessary to contain that population. The commission, which the Prussian and Hanoverian governments shall name without delay, to proceed to the exact regulation of the limits, shall be particularly charged with the execution of this provision. His Prussian Majesty renounces in perpetuity, for himself, his descendants and successors, the provinces and territories mentioned in the present article, as well as all the rights which have any relation to them.

ART. XXVIII. His Majesty the King of Prussia renounces in perpetuity, for himself, his descendants and successors, all right and claim whatever, that his Majesty in his quality of Sovereign of Eichsfeld, might advance to the chapter of St. Peter, in the borough of Nörten, or to its dependencies, situated in the Hanoverian territory.

ART. XXIX. His Majesty the King of the United Kingdom of Great Britain and Ireland, King of Hanover, cedes to his Majesty the King of Prussia, to be possessed by him and his successors, in full property and sovereignty. 1. That part of the duchy of Lauenbourg situated upon the right bank of the Elbe, with the villages of Luneboùrg situated on the same bank. The part of the duchy upon the left bank remains to the kingdom of Hanover. The states of that part of the duchy which passes under the Prussian government shall preserve their rights and privileges; especially those founded upon the provincial recess of the 15th September 1702, and confirmed by the King of Great Britain, now reigning, under date of June 21, 1765. 2. The bailiwick of Klötze; 3. The bailiwick of Elbingesode; 4. The villages of Rudegershagen and Gœnseteich; 5. The bailiwick of Reckeberg. His Britannic Majesty, king of Hanover, renounces for himself, his descendants and successors for ever, the provinces and districts specified in the present Article, and all the rights which have reference to them.

ART. XXX. His Majesty the King of Prussia, and his Britannic Majesty, King of Hanover, animated with the desire of entirely equalising the advantages of the commerce of the Ems and of the Port of Embden, and of rendering them common to their respective subjects, have agreed on this head to what follows: 1. The Hanoverian government engages to cause to be executed, at its expense, in the years 1815 and 1816, the works which a commission, composed partly of artists, and to be immediately appointed by Prussia and Hanover, shall deem necessary to render navigable that part of the river of Ems which extends from the Prussian frontier to its mouth, and to keep it after the execution of such works, always in the same state in which those works shall have placed it for the benefit of navigation. 2. The Prussian subjects shall be allowed to import and export, by the port of Embden, all kinds of provisions, productions and goods, whether natural or artificial, and to keep in the town of Embden, warehouses, wherein to place the said goods for two years, dating from their arrival in the towns, without their being subject to any other inspection than that to which those of the Hanoverian subjects are liable. 3. The Prussian vessels and merchants of the same nation, shall not pay for navigation, for exportation or importation of merchandize, or for warehousing, any other tolls or duties than those charged upon the Hanoverian subjects. These tolls and duties shall be regulated by agreement between Prussia and Hanover, and no alteration shall be introduced into the tarif hereafter, but by mutual consent. The privileges and liberties just specified extend equally to those Hanoverian subjects who navigate that part of the river Ems which remains to the King of Prussia. 4. Prussian subjects shall not be compellable to employ the merchants of Embden for the trade they carry on with that port; they shall be at liberty to dispose of their commodities either to the inhabitants of the town or to foreigners, without paying any other duties than those to which the Hanoverian subjects are subjected, and which cannot be raised but by mutual consent.—His Majesty the King of Prussia, on his part, engages to grant to Hanoverian subjects the free navigation of the canal of the Stecknitz, so as not to exact from them any other duties than those which shall be paid by the inhabitants of the duchy of Lauenburg. His Prussian Majesty engages, besides, to insure these advantages to Hanoverian subjects, should he hereafter cede the duchy of Lauenburg to another sovereign.

ART. XXXI. His Majesty the King of Prussia and his Majesty the King of the United Kingdom of Great Britain and Ireland, King of Hanover, mutually agree to three military roads through their respective dominions. 1st. One from Halberstadt, through the country of Hildesheim to Minden. 2d. A second from the Old March, through Gihorn and Neustadt to Minden. 3d. A third from Osnabruck, through Ippenbüren and Rheina to Bentheim. The two first in favour of Prussia, and the third in favour of Hanover. The two Governments shall appoint, without delay, a commission to prepare, by common consent, the necessary regulations for the establishment of the said roads.

ART. XXXII. The bailiwick of Meppen, belonging to the Duke of Aremberg, as well as the part of Rheina Wolbeck, belonging to the Duke of Looz-Corswaren, which at this moment are provisionally occupied by the Hanoverian government, shall be placed in such relations with the kingdom of Hanover, as the Federative Constitution of Germany shall regulate for the mediatised territories.—The Prussian and Hanoverian governments having nevertheless reserved to themselves to agree hereafter, if necessary, to the fixing of another line of frontier with regard to the county belonging to the Duke of Looz-Corswaren; the said governments shall charge the commission they may name for fixing the limits of the part of the county of Lingen ceded to Hanover, to deliberate thereupon, and to adjust definitively the frontiers of that part of the county belonging to the Duke of Looz-Corswaren, which as aforesaid, is to be possessed by the Hanoverian government.—The relations between the Hanoverian government and the county of Bentheim shall remain as regulated by the Treaties of Mortgage existing between his Britannic Majesty and the Count of Bentheim; and when the rights derived from this Treaty shall have expired, the relations of the county of Bentheim towards the kingdom of Hanover shall be such as the Federative Constitution of Germany shall regulate for the mediatised territories.

ART. XXXIII. His Britannic Majesty, King of Hanover, in order to meet the wishes of his Prussian Majesty to procure a suitable arrondissement of territory for his Serene Highness the Duke of Oldenburg, promises to cede to him a district containing a population of 5,000 inhabitants.

ART. XXXIV. His Serene Highness the Duke of Holstein-Oldenburg shall assume the title of Grand Duke of Oldenburg.

ART. XXXV. Their Serene Highnesses the Dukes of Mecklenburg-Schwerin and Mecklenburg-Strelitz, shall assume the titles of Grand Dukes of Mecklenburg-Schwerin and Strelitz.

ART. XXXVI. His Highness the Duke of Saxe-Weimar shall assume the title of Grand Duke of Saxe-Weimar.

ART. XXXVII. His Majesty the King of Prussia shall cede from the mass of his states, as they have been fixed and recognised by the present Treaty, to his Royal Highness the Grand Duke of Saxe-Weimar, districts containing a population of 50,000 inhabitants, contiguous to, or bordering upon, the principality of Weimar. His Prussian Majesty engages also to cede to his Royal Highness out of that part of the principality of Fulda which has been given up to him in virtue of the same stipulations, districts containing a population of 27,000 inhabitants. His Royal Highness the Grand Duke of Weimar shall possess the above districts in full property and sovereignty, and shall unite them in perpetuity to his present states.

ART. XXXVIII. The Districts and Territories which are to be ceded to his Royal Highness the Grand Duke of Saxe-Weimar, in virtue of the preceding Article, shall be determined by a particular Convention; and his Majesty the King of Prussia engages to conclude this Convention, and to cause the above districts and territories to be given up to his Royal Highness, within two months from the date of the exchange of the ratifications of the Treaty concluded at Vienna, June 1, 1815, between his Prussian Majesty and his Royal Highness the Grand Duke.

ART. XXXIX. His Majesty the King of Prussia, however, cedes immediately, and promises to give up to his Royal Highness, in the space of a fortnight, reckoning from the signature of the above-mentioned Treaty, the following districts and territories; viz. The Lordship of Blankenhayn, with the reservation of the bailiwick of Wandersleben, belonging to Unter-Gleichen, which is not to be comprised in this cession. The lower lordship (Niedere-Herrschaft) of Kranichfeld, the commanderies of the Teutonic order Zwaetzen, Lehesten, and Liebstedt, with their demesnial revenues, which, constituting a part of the bailiwick of Eckartsberga, are inclosed in the territory of Saxe-Weimar, as well as all the other territories inclosed within the principality of Weimar, and belonging to the said bailiwick; the bailiwick of Tautenburgh, with the exception of Droizen, Gorschen, Wethalung, Wetterscheid, and Möllschütz, which shall remain to Prussia. The village of Remssla, as well as the villages of Klein-Brembach and Berlstedt, inclosed within the principality of Weimar, and belonging to the territory of Erfurth. The property of the villages of Bisschoffsroda and Probsteizella, inclosed within the territory of Eisenach; the sovereignty of which already belongs to his Royal Highness the Grand Duke. The population of these different districts is understood to form part of that of 50,000 souls, secured to his Royal Highness the Grand Duke of Saxe-Weimar, by Art. 37, and shall be deducted from it.

ART. XL. The department of Fulda, together with the territories of the neighbouring ancient Noblesse, comprised, at this moment, under the provisional administration of this department; viz. Mansbach, Buchenau, Werda, Lengsfeld, excepting, however, the following bailiwicks and territories; viz. the bailiwicks of Hammelburg, with Thulba and Saleck, Brückenau, with Motten, Saalmünster, with Urzel and Sonnerz; also the part of the bailiwick of Biberstein, which contains the villages of Batten, Brand, Dietges, Findlos, Liebharts, Melperz, Ober-Bernharst, Saifferts, and Thaiden, as well as the domain of Holzkirchen, inclosed in the Grand Duchy of Wurzburg, is ceded to his Majesty the King of Prussia, and he shall be put in possession of it within three weeks from and after the 15th June of this year. His Prussian Majesty engages to take upon himself, in proportion to that part of the territory which he obtains by the present Article, his share of the obligations which all the new possessors of the heretofore Grand Duchy of

Frankfort will have to fulfil, and to transfer such engagements to the Princes with whom his Majesty may hereafter make exchanges or cessions of these districts and territories of the department of Fulda.

ART. XLI. The domains of the principality of Fulda and of the county of Hanau having been sold to purchasers, who have not as yet made good all their instalments, a Commission shall be named by the Princes to whom the said domains are transferred, to regulate, in a uniform manner, whatever has any reference to this transaction, and to do justice to the claims of the purchasers of the said domains. This Commission shall pay particular attention to the Treaty concluded at Frankfort, December 2, 1813, between the Allied Powers and his Royal Highness the Elector of Hesse; and it is laid down as a principle, that in case the sale of these domains should not be considered as binding, the purchasers shall receive back the sums already discharged, and they shall not be obliged to quit before such restitution shall have had its full and entire effect.

ART. XLII. The town and territory of Wetzlar passes, in all property and sovereignty, to his Majesty the King of Prussia.

ART. XLIII. The following mediatised districts; viz. the possessions which the Princes of Salm-Salm, and Salm-Kyrburg, the Counts called the Rheimund, Wildgrafen, and the Duke of Croy, obtained by the principal Rescript of the extraordinary Deputation of the Empire, of the 25th February 1803, in the old Circle of Westphalia, as well as the Lordships of Anholt and Gehmen, the possessions of the Duke of Looz-Corzwaren, which are in the same situation (in so far as they are not placed under the Hanoverian Government), the county of Steinfurt, belonging to the Count of Bentheim-Bentheim, the county of Recklingshausen, belonging to the Duke of Aremberg, the lordships of Rheda, Gütersloh, and Gronau, belonging to the Count of Bentheim-Tecklenburg, the county of Rittberg, belonging to the Prince of Kaunitz, the lordships of Neustadt and Gunborn, belonging to the Count of Walmoden, and the lordship of Homburg, belonging to the Princes of Saxe-Wittgenstein-Berleburg, shall be placed in such relations with the Prussian Monarchy as the Federative Constitution of Germany shall regulate for the mediatised territories. The possessions of the ancient and immediate nobility within the Prussian territory, and particularly the lordship of Wildenberg, in the Grand Duchy of Berg, and the barony of Schauen, in the principality of Halberstadt, shall belong to the Prussian Monarchy.

ART. XLIV. His Majesty the King of Bavaria shall possess, for himself, his heirs and successors, in full property and sovereignty, the Grand Duchy of Wurtzburg, as it was held by his Imperial Highnesss the Archduke Ferdinand of Austria, and the principality of Aschaffenburg, such as it constituted part of the Grand Duchy of Frankfort, under the denomination of Department of Aschaffenburg.

ART. XLV. With respect to the rights and prerogatives, and the maintenance of the Prince Primate as an ancient ecclesiastical Prince, it is determined: 1st. That he shall be treated in a manner analogous to the Articles of the Rescript, which, in 1803, regulated the situation of the secularized Princes, and to the practice observed with regard to them. 2dly. He shall receive for this purpose, dating from June 1, 1814, the sum of 100,000 florins, by payments of three months, in good specie, at the rate of 24 florins to the mark, as an annuity. This annuity shall be paid by the Sovereigns under whose Governments the provinces or districts of the Grand Duchy of Frankfort pass, in proportion to the part which each of them shall possess. 3dly. The advances made by the Prince Primate, from his private purse, to the general chest of the principality of Fulda, such as they have been liquidated and proved, shall be refunded to him, his heirs, or executors. This expenditure shall be defrayed in proportions by the Sovereigns who shall possess the provinces and districts composing the principality of Fulda. 4thly. The furniture and other objects which may be proved to belong to the private property of the Prince Primate, shall be restored to him. 5thly. The officers of the Grand Duchy of Frankfort, as well civil and ecclesiastical as military and diplomatic, shall be treated conformably to the principles of the 59th Article of the Protocol of the Empire, dated the 25th February 1803, and from the 1st of June the pensions shall be proportionably paid by the Sovereigns who enter on the possession of the States which formed the said Grand Duchy since the 1st of June 1814. 6thly. A Commission shall be established without delay, composed of members appointed by the said Sovereigns, to regulate whatever relates to the execution of the dispositions comprised in this Article. 7thly. It is understood, that in virtue of this arrangement, any claim that might be advanced against the Prince Primate, in his character of Grand Duke of Frankfort, shall be annulled, and that he shall not be molested on account of any reclamation of this nature.

ART. XLVI. The city of Frankfort, with its territory, such as it was in 1803, is declared free, and shall constitute a part of the Germanic League. Its institutions shall be founded upon the principle of a perfect equality of rights for the different sects of the Christian religion. This equality of rights shall extend to all civil and political rights, and shall be observed in all matters of government and administration. The disputes which may arise, whether in regard to the establishment of the Constitution, or in regard to its maintenance, shall be referred to the Germanic Diet, and can only be decided by the same.

ART. XLVII. His Royal Highness the Grand Duke of Hesse, in exchange for the Duchy of Westphalia, ceded to his Majesty the King of Prussia, obtains a territory on the left bank of the Rhine, in the ancient department of Mount Tonnerre, comprising a population of 140,000 inhabitants. His Royal Highness shall possess this territory in full sovereignty and property. He shall likewise obtain the property of that part of the Salt Mines of Kreusznach which is situated on the left bank of the Nahe, but the sovereignty of them shall remain to Prussia.

ART. XLVIII. The Landgrave of Homburg is reinstated in his possessions, revenues, rights, and political relations, of which he was deprived in consequence of the Confederation of the Rhine.

ART. XLIX. In the ci-devant department of the Sarre, on the frontiers of the states of his Majesty the King of Prussia, there is reserved a district, containing a population of 69,000 souls, to be disposed of in the following manner: the Duke of Saxe-Coburg and the Duke of Oldenburg shall obtain each a territory comprising 20,000 inhabitants. The Duke of Mecklenburg-Strelitz and the Landgrave of Hesse-Homburg, each a territory comprising 10,000 inhabitants; and the Count of Pappenheim a territory comprising 9,000 inhabitants. The territory of the Count of Pappenheim shall be under the sovereignty of his Prussian Majesty.

ART. L. The acquisitions assigned by the preceding Article to the Dukes of Saxe-Coburg, Oldenburg, Mecklenburg-Strelitz, and the Landgrave of Hesse-Homburg, not being contiguous to their respective states, their Majesties the Emperor of Austria, the Emperor of all the Russias, and the Kings of Great Britain and Prussia, promise to employ their good offices, at the close of the present war, or as soon as circumstances shall permit, in order to procure for the said Princes, either by exchanges or any other arrangements, the advantages that they are disposed to insure to them; and that the administration of the said districts may be rendered less complicated, it is agreed that they shall be provisionally under the Prussian administration for the benefit of the new proprietors.

ART. LI. All the territories and possessions, as well on the left bank of the Rhine, in the old departments of the Sarre and Mont-Tonnere, as in the former departments of Fulda and Frankfort, or inclosed in the adjacent countries, placed at the disposal of the Allied Powers, by the Treaty of Paris of the 30th May 1814, and not disposed of by other Articles of the present Treaty, shall pass in full sovereignty and property, under the Government of his Majesty the Emperor of Austria.

ART. LII. The principality of Issenburg is placed under the sovereignty of his Imperial and Royal Apostolic Majesty, and shall belong to him, under such limitations as the Federative Constitution of Germany shall regulate for the mediatised States.

ART. LIII. The Sovereign Princes and Free-towns of Germany, under which denomination, for the present purpose, are comprehended their Majesties the Emperor of Austria, the Kings of Prussia, of Denmark, and of the Netherlands; that is to say, the Emperor of Austria and the King of Prussia for all their possessions which anciently belonged to the German Empire, the King of Denmark for the Duchy of Holstein, and the King of the Netherlands for the Grand Duchy of Luxembourg, establish among themselves a perpetual Confederation, which shall be called "the Germanic Confederation."

ART. LIV. The object of this Confederation is the maintenance of the external and internal safety of Germany, and of the independance and inviolability of the confederated States.

ART. LV. The Members of the Confederation, as such, are equal with regard to their rights; and they all equally engage to maintain the Act which constitutes their union.

ART. LVI. The affairs of the Confederation shall be confided to a Federative Diet, in which all the Members shall vote by their Plenipotentiaries, either individually or collectively, in the following manner, without prejudice to their rank:

	Vote.
1. Austria	1
2. Prussia	1
3. Bavaria	1
4. Saxony	1
5. Hanover	1
6. Wurtemburg	1
7. Baden	1
8. Electoral Hesse	1
9. Grand Duchy of Hesse	1
10. Denmark, for Holstein	1
11. The Netherlands, for Luxembourg	1
12. Grand-Ducal and Ducal Houses of Saxony	1
13. Brunswick and Nassau	1
14. Mecklenburg-Schwerin and Strelitz	1
15. Holstein-Oldenburg, Anhalt and	1
Schwartzburg	1
16. Hohenzollern, Lichtenstein, Reuss, Schaumburg, Lippe, Lippe and Waldeck	1
17. The Free Towns of Lubeck, Frankfort, Bremen and Hamburgh	1
Total Votes	17

ART. LVII. Austria shall preside at the Federative Diet. Each State of the Confederation has the right of making propositions, and the presiding State shall bring them under deliberation within a definitive time.

ART. LVIII. Whenever fundamental laws are to be enacted, changes made in the fundamental laws of the Confederation, measures adopted relative to the Federative Act itself, and organic institutions or other arrangements made for the common interest, the Diet shall form itself into a General Assembly, and, in that case, the distribution of votes shall be as follows, calculated according to the respective extent of the individual states:

	Votes.
Austria shall have	4
Prussia	4
Saxony	4
Bavaria	4
Hanover	4
Wurtemburg	4
Baden	3
Electoral Hesse	3
Grand Duchy of Hesse	3
Holstein	3
Luxembourg	3
Brunswick	2
Mecklenburg-Schwerin	2
Nassau	2
Saxe-Weimar	1
Saxe-Gotha	1
Saxe-Coburg	1
Saxe-Meinungen	1
Saxe-Hildburghausen	1
Mecklenburg-Strelitz	1
Holstein-Oldenburg	1
Anhalt-Dessau	1
Anhalt-Bernburg	1
Anhalt-Kotthen	1
Schwartzbourg-Sondershausen	1
Schwartzbourg-Rudolstadt	1
Hohenzollern-Heckingen	1
Lichtenstein	1
Hohenzollern-Sigmaringen	1
Waldeck	1
Reuss, (Elder Branch)	1
Reuss, (Younger Branch)	1
Schaumburg-Lippe	1
Lippe	1
The Free Town of Lubeck	1
————Frankfort	1
————Bremen	1
————Hamburgh	1
Total Votes	69

The Diet in deliberating on the organic laws of the Confederation, shall consider whether any collective votes ought to be granted to the ancient mediatised States of the empire.

ART. LIX. The question, whether a subject is to be discussed by the General Assembly, conformably to the principles above established, shall be decided in the ordinary assembly by a majority of votes. The same Assembly shall prepare the drafts of resolutions which are to be proposed to the General Assembly, and shall furnish the latter with all the necessary information, either for adopting or rejecting them. The plurality of votes shall regulate the decisions, both in the Ordinary and General Assemblies, with this difference, however, that, in the Ordinary Assembly, an absolute majority shall be deemed sufficient, while, in the other, two-thirds of the votes shall be necessary to form the majority. When the votes are even in the Ordinary Assembly, the President shall have the casting vote; but when the Assembly is to deliberate on the acceptance or change of any of the fundamental laws, upon organic institutions, upon individual rights, or upon affairs of religion, the plurality of votes shall not be deemed sufficient, either in the Ordinary or in the General Assembly. The Diet is permanent: it may, however, when the subjects submitted to its deliberation are disposed of, adjourn for a fixed period, which shall not exceed four months. All ulterior arrangements relative to the postponement or the dispatch of urgent business, which may arise during the recess, shall be reserved for the Diet, which will consider them when engaged in preparing the organic laws.

ART. LX. With respect to the order in which the members of the Confederation shall vote, it is agreed, that while the Diet shall be occupied in framing organic laws, there shall be no fixed regulation; and whatever may be the order observed on such an occasion, it shall neither prejudice any of the members, nor establish a precedent for the future. After framing the organic laws, the Diet will deliberate upon the manner of arranging this matter by a permanent regulation, for which purpose it will depart as little as possible from those which have been observed in the ancient Diet, and more particularly according to the Recess of the Deputation of the Empire in 1803. The order to be adopted shall in no way affect the rank and precedence of the members of the Confederation, except in as far as they concern the diet.

ART. LXI. The Diet shall assemble at Frankfort on the Maine. Its first meeting is fixed for the 1st of September 1815.

ART. LXII. The first object to be considered by the Diet after its opening, shall be the framing of the fundamental laws of the Confederation, and of its organic institutions, with respect to its exterior, military, and interior relations.

ART. LXIII. The States of the Confederation engage to defend not only the whole of Germany, but each individual State of the Union, in case it should be attacked, and they mutually guarantee to each other such of their possessions as are comprised in this Union. When war shall be declared by the Confederation, no member can open a separate negociation with the enemy, nor make peace, nor conclude an armistice, without the consent of the other members. The confederated States engage, in the same manner, not to make war against each other, on any pretext, nor to pursue their differences by force of arms, but to submit them to the Diet, which will attempt a mediation by means of a Commission. If this should not succeed, and a juridical sentence becomes necessary, recourse shall be had to a well-organized Austregal Court (Austregal instanz), to the decision of which the contending parties are to submit without appeal.

ART. LXIV. The Articles comprised under the title of Particular Arrangements, in the Act of the Germanic Confederation, as annexed to the present General Treaty, both in original and in a French translation, shall have the same force and validity as if they were textually inserted herein.

ART. LXV. The ancient United Provinces of the Netherlands and the late Belgic provinces, both within the limits fixed by the following Article, shall form, together with the countries and territories designated in the same article, under the sovereignty of his Royal Highness the Prince of Orange-Nassau, sovereign prince of the United Provinces, the kingdom of the Netherlands, hereditary in the order of succession already established by the Act of the constitution of the said United Provinces. The title and the prerogatives of the royal dignity are recognised by all the Powers in the house of Orange-Nassau.

ART. LXVI. The line comprising the territories which compose the kingdom of the Netherlands, is determined in the following manner:—It leaves the sea, and extends along the frontiers of France on the side of the Netherlands as rectified and fixed by Article III. of the Treaty of Paris of the 30th May, 1814, to the Meuse; thence along the same frontiers to the old limits of the duchy of Luxembourg. From this point it follows the direction of the limits between that duchy and the ancient Bishoprick of Liege, till it meets (to the south of Deiffelt) the western limits of that canton, and of that of Malmedy, to the point where the latter reaches the limits between the old departments of the Ourthe and the Roer; it then follows these limits, to where they touch those of the former French canton of Eupen, in the duchy of Limburg, and following the western limit of that canton, in a northerly direction, leaving to the right a small part of the former French canton of Aubel, joins the point of contact of the three old departments of the Ourthe, the Lower Meuse, and the Roer; parting again from this point, this line follows that which divides the two latter departments, until it reaches the Worm (a river falling into the Roer), and goes along this river to the point where it again reaches the limit of these two departments, pursues this limit to the south of Hillensberg, (the old department of the Roer), from whence it reascends to the north, and leaving Hillensberg to the right, and dividing the canton of Sittard into two nearly equal parts, so that Sittard and Susteren remain on the left, it reaches the old Dutch territory; from whence, leaving this territory to the left, it goes on following its eastern frontier to the point where it touches the old Austrian principality of Gueldres, on the side of Ruremonde, and directing itself towards the most eastern point of the Dutch territory, to the north of Swalmen, continues to inclose this territory.—Lastly, setting out from the most eastern point, it joins that part of the Dutch territory in which Venloo is situated; that town and its territory being included within it. From thence to the old Dutch frontier near Mook, situated above Genep, the line follows the course of the Meuse, at such a distance from the right bank, that all the places within a thousand Rhenish yards (*Rheinlandische Ruthen*) from it shall belong, with their territories, to the kingdom of the Netherlands; it being understood however, as to the reciprocity of this principle, that the Prussian territory shall not at any point touch the Meuse, or approach it within the distance of a thousand Rhenish yards.—From the point where the line just described reaches the ancient Dutch frontier, as far as the Rhine, this frontier shall remain essentially the same as it was in 1795, between Cleves and the United Provinces. This line shall be examined by a commission, which the governments of Prussia and the Netherlands shall name without delay, for the purpose of proceeding to the exact determination of the limits, as well of the kingdom of the Netherlands, as of the grand duchy of Luxembourg, specified in Art. LXVIII.; and this commission, aided by professional persons, shall regulate every thing concerning the hydrotechnical constructions, and other similar points, in the most equitable manner, and the most conformable to the mutual interests of the Prussian states, and of those of the Netherlands. This same arrangement refers to the fixing of limits in the districts of Kyfwaerd, Lobith and in the whole territory as far as Kekerdom.—The *enclaves* of Huissen, Malburg, Lymers, with the town of Sevenaer and lordship of Weel, shall form a part of the kingdom of the Netherlands; and his Prussian Majesty renounces them in perpetuity for himself, his heirs and successors.

ART. LXVII. That part of the old Duchy of Luxembourg which is comprised in the limits specified in the following Article, is likewise ceded to the sovereign prince of the United Provinces, now King of the Netherlands, to be possessed in perpetuity by him and his successors, in full property and sovereignty. The Sovereign of the Netherlands shall add to his titles that of Grand Duke of Luxembourg. His Majesty reserving to himself the privilege of making such family arrangement between the princes his sons, relative to the succession to the Grand Duchy, as he shall think conformable to the interests of his monarchy, and to his paternal intentions. The Grand Duchy of Luxembourg, serving as a compensation for the principalities of Nassau Dillenburg, Siegen, Hadamar and Dietz, shall form one of the

States of the Germanic Confederation; and the Prince, King of the Netherlands, shall enter into the system of this Confederation, as Grand Duke of Luxembourg, with all the prerogatives and privileges enjoyed by the other German Princes.—The town of Luxembourg, in a military point of view, shall be considered as a fortress of the Confederation: the Grand Duke shall, however, retain the right of appointing the governor and military commandant of this fortress, subject to the approbation of the executive power of the Confederation, and under such other conditions as it may be judged necessary to establish, in conformity with the future constitution of the said Confederation.

ART. LXVIII. The Grand Duchy of Luxembourg shall consist of all the territory situated between the kingdom, of the Netherlands, as it has been designated by Art. LXVI, France, the Moselle, as far as the mouth of the Sure, the course of the Sure, as far as the junction of the Our, and the course of this last river, as far as the limits of the former French canton of St. Vith, which shall not belong to the Grand Duchy of Luxembourg.

ART. LXIX. His Majesty the King of the Netherlands, Grand Duke of Luxembourg, shall possess in perpetuity, for himself and his successors, the full and entire sovereignty of that part of the duchy of Bouillon, which is not ceded to France by the Treaty of Paris; and which, therefore, shall be united to the Grand Duchy of Luxembourg.—Disputes, having arisen with respect to the said duchy of Bouillon, the competitor who shall legally establish his right, in the manner hereafter specified, shall possess, in full property, the said part of the duchy, as it was enjoyed by the last duke, under the sovereignty of his Majesty the King of the Netherlands, Grand Duke of Luxembourg. This decision shall be made by arbitration, and be without appeal. For this purpose there shall be appointed a certain number of arbitrators, one by each of the two competitors, and others, to the number of three, by the courts of Austria, Prussia, and Sardinia. They shall assemble at Aix-la-Chapelle, as soon as the state of the war and other circumstances may admit of it, and their determination shall be made known within six months from their first meeting.—In the interim, his Majesty the King of the Netherlands, Grand Duke of Luxemburgh, shall hold in trust the property of the said part of the Duchy of Bouillon, in order that he may restore it, together with the revenues of the provisional administration, to the competitor in whose favour the arbitrators shall decide; and his said Majesty shall indemnify him for the loss of the revenues arising from the rights of sovereignty, by means of some equitable arrangement. Should the restitution fall to Prince Charles of Rohan, this property, when in his possession, shall be regulated by the laws of the substitution which constitutes his title thereto.

ART. LXX. His Majesty the King of the Netherlands renounces in perpetuity for himself his heirs and successors, in favour of his Majesty the King of Prussia, the sovereign possessions which the house of Nassau-Orange held in Germany, namely, the principalities of Dillenburg, Dietz, Siegen, and Hadamar, with the lordships of Beilstein, such as those possessions have been definitively arranged between the two branches of the house of Nassau, by the Treaty concluded at the Hague on the 14th July 1814. His Majesty also renounces the principality of Fulda, and the other districts and territories which were secured to him by the 12th Article of the principal recess of the Extraordinary Deputation of the Empire of the 25th of February 1803.

ART. LXXI. The right and order of succession, established between the two branches of the house of Nassau, by the Act of 1783, called Nassauischer Erbverein, is confirmed, and transferred from the four principalities of Orange Nassau, to the grand duchy of Luxembourg.

ART. LXXII. His Majesty the King of the Netherlands, in uniting under his sovereignty, the countries designated in the 66th and 68th Articles, enters into all the rights, and takes upon himself all the charges and all the stipulated engagements, relative to the Provinces and districts detached from France by the Treaty of Peace concluded at Paris the 30th May 1814.

ART. LXXIII. His Majesty the King of the Netherlands, having recognised and sanctioned, under date of the 21st July 1814, as the basis of the union of the Belgic Provinces with the United Provinces, the eight Articles contained in the document annexed to the present Treaty, the said Articles shall have the same force and validity as if they were inserted, word for word, in the present Instrument.

ART. LXXIV. The integrity of the nineteen Cantons, as they existed in a political body, from the signature of the Convention of the 29th December 1813, is recognised as the basis of the Helvetic system.

ART. LXXV. The Vallais, the territory of Geneva, and the principality of Neufchatel, are united to Switzerland, and shall form three new cantons. The valley of Dappes, having formed part of the canton of Vaud, is restored to it.

ART. LXXVI. The bishoprick of Basle and the city and territory of Bienne shall be united to the Helvetic Confederation, and shall form part of the canton of Berne. The following districts, however, are excepted from this last arrangement: 1. A district of about three square leagues in extent, including the communes of Altschweiler, Schönbuch, Oberweiler, Terweiler, Ettingen, Fürsteintein, Plotten, Pfeffingen, Aesch, Bruck, Reinach, Arlesheim; which district shall be united to the canton of Basle. 2. A small enclave, situated near the village of Neufchatel de Lignieres, which is at present, with respect to civil jurisdiction, dependant upon the canton of Neufchatel, and with respect to criminal jurisdiction, upon that of the bishoprick of Basle, shall belong in full sovereignty to the principality of Neufchatel.

ART. LXXVII. The inhabitants of the bishoprick of Basle and those of Bienne, united to the cantons of Berne and Basle, shall enjoy, in every respect, without any distinction of religion (which shall be maintained in its present state) the same political and civil rights which are enjoyed, or may be enjoyed, by the inhabitants of the ancient parts of the said cantons: they shall, therefore, be equally competent to become candidates for the places of representatives, and for all other appointments, according to the constitution of the cantons. Such municipal privileges as are compatible with the constitution and the general regulations of the canton of Berne, shall be preserved to the town of Bienne, and to the villages that formed part of its jurisdiction.—The sale of the national domains shall be confirmed, and the feudal rights and tithes cannot be re-established.—The respective Acts of the Union shall be framed, conformably to the principles above declared, by commissions, composed of an equal number of deputies from each of the directing parties concerned. Those from the bishopric of Basle, shall be chosen by the canton, from amongst the most eminent citizens of the country. The said Acts shall be guaranteed by the Swiss Confederation. All points upon which the parties cannot agree, shall be decided by a court of arbitration, to be named by the Diet.

ART. LXXVIII. The cession, made by the 3d Article of the Treaty of Vienna of the 14th October 1809, of the lordship of Razüns, inclosed in the country of the Grisons, having expired; and his Majesty the Emperor of Austria, being restored to all the rights attached to the said possession, confirms the disposition which he made of it, by a declaration, dated the 20th March 1815, in favour of the canton of the Grisons.

ART. LXXIX. In order to ensure the commercial and military communications of the town of Geneva with the canton of Vaud, and the rest of Switzerland; and with a view to fulfil, in that respect, the 4th Article of the Treaty of Paris of the 30th May 1814, his Most Christian Majesty consents so to place the line of custom-houses, that the road which leads from Geneva into Switzerland by Versoy, shall, at all times, be free, and that neither the post nor travellers, nor the transport of merchandize, shall be interrupted by any examination of the officers of the customs, nor subjected to any duty.—It is equally understood, that the passage of Swiss troops on this road shall not, in any manner, be obstructed.—In the additional regulations to be made on this subject, the execution of the Treaties relative to the free communication between the town of Geneva and the jurisdiction of Peney, shall be assured in the manner most convenient to the inhabitants of Geneva. His Most Christian Majesty also consents that the gendarmerie and militia of Geneva, after having communicated on the subject with the nearest military post of the French gendarmerie, shall pass on the high road of Meyrin, to and from the said jurisdiction, and the town of Geneva.

ART. LXXX. His Majesty the King of Sardinia cedes, that part of Savoy which is situated between the river Arve, the Rhone, the limits of that part of Savoy ceded to France, and the mountain of Salive, as far as Veiry inclusive, together with that part which lies between the high road called that of the Simplon, the lake of Geneva, and the present territory of the canton of Geneva, from Venezas to the point where the river of Hermance crosses the said road, and from thence, following the course of that river to where it enters the lake of Geneva, to the east of the village of Hermance (the whole of the road of the Simplon continuing to be possessed by his Majesty the King of Sardinia) in order that these countries shall be re-united to the canton of Geneva; with the reservation, however, of determining more precisely, by commissioners respectively, their limits, particularly of that part which relates to the demarcation above Veiry, and on the mountain of Saleve; his said Majesty renouncing for himself and his successors, in perpetuity, without exception or reservation, all rights of sovereignty, or other rights which may belong to him in the places and territories comprised within this demarcation.—His Majesty the King of Sardinia also agrees, that the communication between the canton of Geneva and the Vallais, by the road of the Simplon, shall be established, in the same manner as it has been agreed to by France, between Geneva and the canton of Vaud, by the route of Versoy. A free communication shall also be at all times granted for the Genevese troops, between the territory of Geneva and the jurisdiction of Jussy, and such facilities shall be allowed as may be necessary for proceeding by the lake to the road of the Simplon.—On the other hand, an exemption from all duties of transit shall be granted for all merchandize and goods which, coming from the states of his Majesty the King of Sardinia and the free port of Genoa, shall traverse the road called the Simplon in its whole extent, through the Vallais and the state of Geneva. This exemption, shall, however, be confined to the transit, and shall extend neither to the tolls established for the maintenance of the road, nor to duties levied on merchandize or goods intended to be sold or consumed in the interior. The same reservation shall apply to the communication granted to the Swiss between the Vallais and the canton of Geneva; and the different governments, shall for this purpose take such measures as, by common agreement, they shall judge necessary, either for taxation or for preventing contraband trade in their territories, respectively.

ART. LXXXI. With a view to the establishing of reciprocal compensations, the cantons of Argovia, Vaud, Tessin, and St. Gall, shall furnish to the ancient cantons of Schwitz, Unterwald, Uri, Glaris, Zug and Appenzell (Rhode Interior) a sum of money to be applied to purposes of public instruction, and to the expenses of general administration, but principally to the former object, in the said cantons.—The quota, manner of payment, and division of this pecuniary compensation, are fixed as follows: The cantons of Argovia, Vaud, and St. Gall, shall furnish to the cantons of Schwitz, Unterwald, Uri, Zug, Glaris, and Appenzell (Rhode Interior) a fund of 500,000 Swiss livres.—Each of the former cantons shall pay the interest of its quota, at the rate of five per cent. per annum, or have the option of discharging the principal either in money or funded property. The division, either of the payment or receipt of these funds, shall be made according to the scale of contributions laid down for providing the federal expenses. The canton of Tessin shall pay every year to the canton of Uri, a moiety of the produce of the tolls in the Levantine valley.

ART. LXXXII. To put an end to the discussions which have arisen, with respect to the funds placed in England by the cantons of Zurich and Berne, it is determined; 1. That the cantons of Berne and Zurich shall preserve the property of the funded capital as it existed in 1803, at the period of the dissolution of the Helvetic government, and shall receive the interest thereof from January 1st, 1815. 2. That the accumulated interest due since the year 1798, up to the year 1814, inclusive, shall be applied to the payment of the remaining capital of the national debt, known under the denomination of the Helvetic debt. 3. That the surplus of the Helvetic debt shall remain at the charge of the other cantons, those of Berne and Zurich being exonerated by the above arrangement. The quota of each of the cantons, which remain charged with this surplus, shall be calculated and paid according to the proportion fixed for the contributions destined to defray federal expenses. The countries incorporated with Switzerland since 1813, shall not be assessed on account of the old Helvetic debt.—If it shall happen that an overplus remains after discharging the above debt, that overplus shall be divided between the cantons of Berne and Zurich, in the proportion of their respective capitals. The same regulations shall be observed with regard to those other debts the documents concerning which are deposited in the custody of the president of the Diet.

ART. LXXXIII. To conciliate disputes respecting *lauds* abolished without indemnification, an indemnity shall be given to persons who are owners of such *lauds*; and for the purpose of avoiding all further differences on this subject between the cantons of Berne and Vaud, the latter shall pay to the government of Berne, the sum of 300,000 Swiss livres, which shall be shared between the Bernese claimants, propietors of *lauds*. The payments shall be made at the rate of a fifth part each year, commencing from January 1, 1816.

ART. LXXXIV. The Declaration of the 20th March, addressed by the Allied Powers who signed the Treaty of Paris, to the Diet of the Swiss Confederation, and accepted by the Diet through the Act of Adhesion of May 27th, is confirmed in the whole of its tenor; and the principles established, as also the arrangements agreed upon, in the said Declaration, shall be invariably maintained.

ART. LXXXV. The frontiers of the states of his Majesty the King of Sardinia shall be: On the side of France, such as they were on the 1st of January 1792, with the exception of the changes effected by the Treaty of Paris of 30th May 1814. On the side of the Helvetic Confederation, such as they existed on the 1st of January 1792, with the exception of the change produced by the cession in favour of the canton of Geneva, as specified by the 80th Article of the present Act. On the side of the states of his Majesty the Emperor of Austria, such as they existed on the 1st of January 1792; and the Convention concluded between their Majesties the Empress Maria Theresa, and the King of Sardinia, on the 4th of October 1751, shall be reciprocally confirmed in all its stipulations. On the side of the states of Parma and Placentia, the frontier, as far as it concerns the ancient states of the King of Sardinia, shall continue to be the same as they were on the 1st of January 1792.—The borders of the former states of Genoa, and of the countries called Imperial Fiefs, united to the states of his Majesty the King of Sardinia, according to the following Articles, shall be the same as those, which on the 1st of January 1792, separated those countries from the states of Parma and Placentia, and from those of Tuscany and Massa. The island of Capraja, having belonged to the ancient republic of Genoa, is included in the cession of the states of Genoa, to his Majesty the King of Sardinia.

ART. LXXXVI. The states which constituted the former republic of Genoa, are united in perpetuity to those of his Majesty the King of Sardinia; to be, like the latter, possessed by him in full sovereignty and hereditary property; and to descend, in the male line, in the order of primogeniture, to the two branches of his house, viz.; the royal branch, and the branch of Savoy Carignan.

ART. LXXXVII. The King of Sardinia

shall add to his present titles, that of Duke of Genoa.

ART. LXXXVIII. The Genoese shall enjoy all the rights and privileges, specified in the Act, intituled "Conditions which are to serve as the bases of the union of the Genoese states to those of his Sardinian Majesty," and the said Act, such as it is annexed to this General Treaty, shall be considered as an integral part thereof, and shall have the same force and validity, as if it were textually inserted in the present Article.

ART. LXXXIX. The countries called Imperial Fiefs, formerly united to the ancient Ligurian republic, are definitively united to the states of his Majesty the King of Sardinia, in the same manner as the rest of the Genoese states; and the inhabitants of these countries shall enjoy the same rights and privileges as those of the states of Genoa, specified in the preceding Article.

ART. XC. The right that the Powers who signed the Treaty of Paris of the 30th May 1814, reserved to themselves by the 3d Art. of that Treaty, of fortifying such points of their states as they might judge proper for their safety, is equally reserved, without restriction, to his Majesty the King of Sardinia.

ART. XCI. His Majesty the King of Sardinia cedes to the canton of Geneva, the districts of Savoy, designated in the 80th Article above recited, according to the conditions specified in the Act, intituled "Cession made by his Majesty the king of Sardinia to the canton of Geneva." This Act shall be considered as an integral part of this General Treaty, to which it is annexed, and shall have the same force and validity as if it were textually inserted in the present Article.

ART. XCII. The provinces of Chablais and Faucigny, and the whole of the territory of Savoy to the North of Ugine, belonging to his Majesty the King of Sardinia, shall form a part of the neutrality of Switzerland, as it is recognised and guaranteed by the Powers. Whenever, therefore, the neighbouring powers to Switzerland are in a state of open or impending hostility, the troops of his Majesty the King of Sardinia which may be in those provinces, shall retire, and may for that purpose pass through the Vallais, if necessary. No other armed troops of any other power shall have the privilege of passing through or remaining in the said territories and provinces, excepting those which the Swiss Confederation shall think proper to place there; it being well understood, that this state of things shall not in any manner interrupt the administration of these countries, in which the civil agents of his Majesty the King of Sardinia may likewise employ the municipal guard, for the preservation of good order.

ART. XCIII. In pursuance of the renunciations agreed upon by the Treaty of Paris of the 30th May 1814, the Powers who sign the present Treaty, recognize his Majesty the emperor of Austria, his heirs and successors, as legitimate Sovereign of the provinces and territories which had been ceded, either wholly or in part, by the Treaties of Campo-Formio of 1797, of Luneville of 1801, of Presburg of 1805, by the additional Convention of Fontainbleau of 1807, and by the Treaty of Vienna of 1809; the possession of which provinces and territories his Imperial and Royal Apostolic Majesty obtained in consequence of the last war; such as, Istria, Austrian as well as heretofore Venetian, Dalmatia, the ancient Venetian isles of the Adriatic, the mouths of the Cattaro, the city of Venice, with its waters, as well as all the other provinces and districts of the formerly Venetian States of the Terra Firma, upon the left bank of the Adige, the duchies of Milan and Mantua, the principalities of Brixen and Trente, the county of Tyrol, the Voralberg, the Austrian Frioul, the ancient Venetian Frioul, the territory of Montefalcone, the government and town of Trieste, Carniola, Upper Carinthia, Croatia on the right of the Save, Fiume, and the Hungarian *Littorale*, and the district of Castua.

ART. XCIV. His Imperial and Royal Apostolic Majesty shall unite to his monarchy, to be possessed by him and his successors, in full property and sovereignty; 1. Besides the portions of the Terra-Firma in the Venetian states mentioned in the preceding Article, the other parts of those states, as well as all other territory situated between the Tessin, the Po, and the Adriatic sea. 2. The vallies of the Valteline, of Bormio, and of Chiavenna. 3. The territories which formerly composed the republic of Ragusa.

ART. XCV. In consequence of the stipulations agreed upon in the preceding Articles, the frontiers of the states of his Imperial and Royal Apostolic Majesty, in Italy shall be; 1. On the side of the states of his Majesty the King of Sardinia, such as they were on the 1st of January 1792. 2. On the side of the states of Parma, Placentia, and Guastalla, the course of the Po, the line of demarcation following the *Thalweg* of the river. 3. On the side of the states of Modena, such as they were on the 1st of January 1792. 4. On the side of the Papal states, the course of the Po, as far as the mouth of the Gozo. 5. On the side of Switzerland, the ancient frontier of Lombardy, and that which separates the vallies of the Valteline, of Bormio, and Chiavenna, from the cantons of the Grisons, and the Tessino.—In those places where the *Thalweg* of the Po forms the frontier, it is agreed, that the changes which the course of the river may undergo shall not, in future, in any way affect the property of the islands therein contained.

ART. XCVI. The general principles, adopted by the Congress at Vienna, for the navigation of rivers, shall be applicable to that of the Po. Commissioners shall be named by the states bordering on rivers, within three months at latest after the termination of the Congress, to regulate all that concerns the execution of the present Article.

ART. XCVII. As it is indispensable to preserve, to the establishment known by the name of the Mont-Napoleon at Milan, the means of fulfilling its engagements towards its creditors; it is agreed, that the landed and other immovable property of this establishment, in countries which formed part of the ancient kingdom of Italy, and have since passed under the government of different princes of Italy, as well as the capital belonging to the said establishment placed out at interest in these different countries, shall be appropriated to the same object.—The unfunded and unliquidated debts of the Mont-Napoleon, such as those arising from the arrears of its charges, or from any other increase of the outgoings of this establishment, shall be divided between the territories which composed the late kingdom of Italy; and this division shall be regulated according to the joint bases of their population and revenue.—The Sovereigns of the said countries shall appoint commissioners, within the space of three months, dating from the termination of the Congress, to arrange with Austrian commissioners whatever relates to this object. This Commission shall assemble at Milan.

ART. XCVIII. His royal highness the Archduke Francis d'Este, his heirs and successors, shall possess, in full sovereignty, the duchies of Modena, Reggio, and Mirandola, such as they existed at the signature of the Treaty of Campo Formio. The Archduchess Maria Beatrice d'Este, her heirs and successors, shall possess in full sovereignty and property, the duchy of Massa, and the principality of Carrara, as well as the Imperial Fiefs in La Lunigiana. The latter may be applied to the purpose of exchanges, or other arrangements made by common consent, and according to mutual convenience, with his imperial highness the Grand Duke of Tuscany. The rights of succession and reversion, established in the branches of the Archducal Houses of Austria, relative to the duchies of Modena, Reggio, and Mirandola, and the principalities of Massa and Carrara, are preserved.

ART. XCIX. Her Majesty the Empress Maria Louisa shall possess, in full property and sovereignty, the duchies of Parma, Placentia, and Guastalla, with the exception of the districts lying within the states of his Imperial and Royal Apostolic Majesty on the left bank of the Po.—The reversion of these countries, shall be regulated by common consent, with the Courts of Austria, Russia, France, Spain, England and Prussia; due regard being had to the rights of reversion of the House of Austria, and of his Majesty the King of Sardinia to the said countries.

ART. C. His Imperial Highness the archduke Ferdinand of Austria, is re-established, himself, his heirs and successors, in all the rights of sovereignty and property, in the grand duchy of Tuscany and its dependencies, which he possessed previous to the Treaty of Luneville.—The stipulations of the 2d Article of the Treaty of Vienna, of the 3d of October, 1735, between the Emperor Charles 6 and the King of France, to which the other powers acceded, are fully renewed in favour of his Imperial Highness and his descendants, as well as the guarantees resulting from those stipulations.—There shall be likewise united to the said grand duchy, to be possessed in full property and sovereignty by the Grand Duke Ferdinand, his heirs and descendants; 1. The state of the Presidii. 2. That part of the island of Elba, and its appurtenances, which were under the suzeraineté of his Majesty the King of the Two Sicilies before the year 1801. 3. The suzeraineté and sovereignty of the principality of Piombino and its dependencies.—Prince Ludovisi Buoncompagni shall retain, for himself and his legitimate successors, all the property which his family possessed in the principality of Piombino, and in the island of Elba and its dependencies, previously to the occupation of those countries by the French troops in 1799, together with the mines, founderies, and salt mines. The Prince Ludovisi shall likewise preserve his right of fishery, and enjoy an entire exemption from duties, as well for the exportation of the produce of his mines, founderies, salt-mines, and domains, as for the importation of wood and other articles necessary for working the mines: he shall be also indemnified by his Imperial Highness the Grand duke of Tuscany, for all the revenues the family of the latter derived from the crown duties, before the year 1801. In case any difficulties should arise in the valuation of this indemnity, the parties concerned shall refer the decision to the courts of Vienna and Sardinia. 4. The late Imperial fiefs of Vernio, Montanto, and Monte Santa Maria, lying within the Tuscan states.

ART. CI. The principality of Lucca shall be possessed in full sovereignty by her Majesty the Infant Maria Louisa, and her decendants, in the direct male line. The principality is erected into a duchy, and shall have a form of government founded upon the principles of that which it received in 1805. An annuity of 500,000 francs shall be added to the revenue of the principality of Lucca, which his Majesty the Emperor of Austria, and his Imperial Highness the Grand Duke of Tuscany, engage to pay regularly, as long as circumstances do not admit of procuring another establishment for her Majesty the Infant Maria Louisa, her son, and his descendants. This annuity shall be specially mortgaged upon the lordships in Bohemia, known by the name of Bavaro Palatine; which, in case of the duchy of Lucca reverting to the Grand Duke of Tuscany, shall be freed from this charge, and shall again form a part of the private domain of his Imperial and Royal Apostolic Majesty.

ART. CII. The duchy of Lucca shall revert to the Grand Duke of Tuscany; either in case of its becoming vacant by the death of her Majesty the Infant Maria Louisa, or of her son Don Carlos, and of their direct male descendants; or in case the Infant Maria Louisa or her direct heirs should obtain any other establishment, or succeed to another branch of their dynasty. The Grand Duke of Tuscany however, engages, should the said reversion fall to him, to cede to the Duke of Modena, as soon as he shall have entered into possession of the principality of Lucca, the following territories: 1. The Tuscan districts of Tivizano, Pietra Santa, and Barga. 2. The Lucca districts of Castiglione, and Gallicano, lying within the states of Modena, as well as those of Minucciano and Monte-Ignose, contiguous to the country of Massa.

ART. CIII. The Marches, with Camerino, and their dependencies, as well as the duchy of Benevento and the principality of Ponte-Corvo, are restored to the Holy See. The Holy See shall resume possession of the legations of Ravenna, Bologna, and Ferrara, with the exception of that part of Ferrara which is situated on the left bank of the Po. His Imperial and Royal Apostolic Majesty and his successors shall have the right of placing garrisons at Ferrara and Commachio. The inhabitants of the countries who return under the government of the Holy See, in consequence of the stipulations of Congress, shall enjoy the benefit of the 16th Article of the Treaty of Paris of the 30th May 1814. All acquisitions made by individuals, in virtue of a title acknowledged as legal by the existing laws, are to be considered as good, and the arrangements necessary for the guarantee of the public debt, and the payment of pensions, shall be settled by a particular Convention between the courts of Rome and Vienna.

ART. CIV. His Majesty King Ferdinand 4, his heirs and successors, is restored to the throne of Naples, and his Majesty is acknowledged by the Powers as King of the Two Sicilies.

ART. CV. The Powers, recognizing the justice of the claims of his Royal Highness the Prince Regent of Portugal and the Brazils, upon the town of Olivença, and the other territories ceded to Spain by the Treaty of Badajos of 1801, and viewing the restitution of the same as a measure necessary to insure that perfect and constant harmony between the two kingdoms of the Peninsula, the preservation of which in all parts of Europe, has been the constant object of their arrangements, formally engage to use their utmost endeavours, by amicable means, to procure the retrocession of the said territories, in favour of Portugal. And the Powers declare, as far as depends upon them, that this arrangement shall take place as soon as possible.

ART. CVI. In order to remove the difficulties which opposed the ratification on the part of his Royal Highness the Prince Regent of the kingdoms of Portugal and the Brazils, of the Treaty signed on the 30th of May 1814, between Portugal and France; it is determined, that the stipulations contained in the 10th Article of that Treaty, and all those which relate to it, shall be of no effect, and that with the consent of all the Powers, the provisions contained in the following Article shall be substituted for them, and which shall alone be considered as valid: with this exception, all the other clauses of the above Treaty of Paris shall be maintained, and regarded as mutually binding on the two courts.

ART. CVII. His Royal Highness the Prince Regent of the kingdoms of Portugal and the Brazils, wishing to give an unequivocal proof of his high consideration for his Most Christian Majesty, engages to restore French Guiana to his said Majesty, as far as the river Oyapock, the mouth of which is situated between the fourth and fifth degree of north latitude, and which has always been considered by Portugal as the limit appointed by the Treaty of Utrecht. The period for giving up this colony shall be determined, as soon as circumstances shall permit, by a particular Convention between the two Courts; and they shall enter into an amicable arrangement, as soon as possible, with regard to the definitive demarcation of the limits of Portuguese and French Guiana, conformably to the precise meaning of the 8th Article of the Treaty of Utrecht.

ART. CVIII. The Powers whose states are separated or crossed by the same navigable river, engage to regulate, by common consent, all that regards its navigation. For this purpose they will name Commissioners, who shall assemble, at latest, within six months after the termination of the Congress, and who shall adopt as the basis of their proceedings, the principles established by the following Articles.

ART. CIX. The navigation of the rivers, along their whole course, refered to in the preceding Article, from the point where each of them becomes navigable, to its mouth, shall be entirely free, and shall not, in respect to commerce, be prohibited to any one; it being understood that the regulations established with regard to the police of this navigation, shall be respected; as they will be framed alike for all, and as favourable as possible to the commerce of all nations.

ART. CX. The system that shall be established both for the collection of the duties and for the maintenance of the police, shall be, as nearly as possible, the same along the whole course of the river; and shall also extend, unless particular circumstances prevent it, to those of its branches and junctions, which, in their navigable course, separate or traverse different states.

ART. CXI. The duties on navigation shall be regulated in an uniform and settled manner, and with as little reference as possible to the different quality of the merchandize, in order that a minute examination of the cargo may be rendered unnecessary, except with a view to prevent fraud and evasion. The amount of the duties, which shall in no case exceed those now paid, shall be determined by local circumstances, which scarcely allow of a general rule in this respect. The tarif shall, however, be prepared in such a manner as to encourage commerce by facilitating navigation; for which purpose the duties established upon the Rhine, and now in force on that river, may serve as an approximating rule for its construction. The tarif once settled, no increase shall take place therein, except by the common consent of the states bordering on the rivers; nor shall the navigation be burthened with any other duties than those fixed in the regulation.

ART. CXII. The offices for the collection of duties, the number of which shall be reduced as much as possible, shall be determined upon in the above regulation, and no change shall afterwards be made, but by common consent, unless any of the states bordering on the rivers should wish to diminish the number of those which exclusively belong to the same.

ART. CXIII. Each state bordering on the rivers is to be at the expense of keeping in good repair the towing paths, which pass through its territory, and of maintaining the necessary works through the same extent in the channels of the river, in order that no obstacle may be experienced to the navigation. The intended regulation shall determine the manner in which the states bordering on the rivers are to participate in these latter works, where the opposite banks belong to different governments.

ART. CXIV. There shall no where be established store-house, port, or forced harbour-duties. Those already existing shall be preserved for such time only as the states bordering on rivers (without regard to the local interest of the place or the country where they are established) shall find them necessary or useful to navigation and commerce in general.

ART. CXV. The custom-houses belonging to the states bordering on rivers shall not interfere in the duties of navigation. Regulations shall be established to prevent officers of the customs, in the exercise of their functions, throwing obstacles in the way of the navigation; but care shall be taken, by means of a strict police on the bank, to preclude every attempt of the inhabitants to smuggle goods, through the medium of boatmen.

ART. CXVI. Every thing expressed in the preceding Articles shall be settled by a general arrangement, in which there shall also be comprised whatever may need an ulterior determination. The arrangement once settled, shall not be changed, but by and with the consent of all the states bordering on rivers, and they shall take care to provide for its execution with due regard to circumstances and locality.

ART. CXVII. The particular regulations relative to the navigation of the Rhine, the Necker, the Maine, the Moselle, the Meuse, and the Scheldt, such as they are annexed to the present Act, shall have the same force and validity as if they were textually inserted herein.

ART. CXVIII. The Treaties, Conventions, Declarations, Regulations, and other particular Acts which are annexed to the present Act, viz.

1. The Treaty between Russia and Austria of the 21st April (3d May) 1815.

2. The Treaty between Russia and Prussia of the 21st April (3d May) 1815.

3. The additional Treaty relative to Cracow, between Austria, Prussia, and Russia, of the 21st April (3d May) 1815.

4. The Treaty between Prussia and Saxony of the 18th May 1815.

5. The Declaration of the King of Saxony respecting the rights of the House of Schœnburg, of the 18th May 1815.

6. The Treaty between Prussia and Hanover of the 29th May 1815.

7. The Convention between Prussia and the Grand Duke of Saxe-Weimar of the 1st June 1815.

8. The Convention between Prussia and the Duke and Prince of Nassau of the 31st May 1815.

9. The Act concerning the Federative Constitution of Germany of the 8th June 1815.

10. The Treaty between the King of the Netherlands, and Prussia, England, Austria, and Russia, of the 31st May 1815.

11. The Declaration of the Powers on the Affairs of the Helvetic Confederation of the 20th March, and the Act of Accession of the Diet of the 28th May 1815.

12. The Protocol of the 29th March 1815, on the cessions made by the King of Sardinia to the Canton of Geneva.

13. The Treaty between the king of Sardinia, Austria, England, Russia, Prussia, and France, of the 21st May 1815.

14. The Act intituled "Conditions which are to serve as the bases of the Union of the States of Genoa with those of his Sardinian Majesty."

15. The Declaration of the Powers on the Abolition of the Slave Trade, of the 8th February 1815.

16. The Regulations respecting the free navigation of Rivers.

17. The Regulation concerning the precedence of Diplomatic agents,—Shall be considered as integral parts of the arrangements of the Congress, and shall have, throughout, the same force and validity as if they were inserted, word for word, in the General Treaty.

ART. CXIX. All the Powers assembled in Congress, as well as the Princes and free towns, who have concurred in the arrangements specified, and in the Acts confirmed, in this General Treaty, are invited to accede to it.

ART. CXX. The French language having been exclusively employed in all the copies of the present Treaty, it is declared, by the powers who have concurred in this Act, that the use made of that language shall not be construed into a precedent for the future; every power, therefore, reserves to itself the adoption in future Negociations and Conventions, the language it has heretofore employed in its diplomatic relations; and this Treaty shall not be cited as a precedent contrary to the established practice.

ART. CXXI. The present Treaty shall be ratified, and the ratifications exchanged in six months, and by the Court of Portugal in a year, or sooner if possible.

A copy of this General Treaty shall be deposited, in the Archives of the Court and State of his Imperial and Royal Apostolic Majesty, at Vienna, in case any of the Courts of Europe shall think proper to consult the original text of this instrument.

In faith of which the respective Plenipotentiaries have signed this Act, and have affixed thereunto the seals of their arms.

Done at Vienna the 9th of June, in the year of our Lord 1815.

(The Signatures follow in the alphabetical order of the Courts.)

AUSTRIA, (L. S.) *The Prince de Metternich.*
(L. S) *The Baron de Wessenberg.*

SPAIN,

FRANCE, (L. S.) *The Prince de Talleyrand.*
(L. S.) *The Duke de D'Alberg.*
(L. S.) *The Count Alexis de Noailles*

GREAT BRITAIN, (L. S.) *Clancarty.*
(L. S.) *Cathcart.*
(L. S.) *Stewart*, L. G.

PORTUGAL, (L. S.) *The Comte de Palmella.*
(L. S.) *Antonio de Saldanha da Gama.*
(L. S.) *D. Joaquim Lobo da Silveira.*

PRUSSIA, (L. S.) *The Prince de Hardenberg.*
(L. S.) *The Baron de Humboldt.*

RUSSIA, (L. S.) *The Prince de Rasoumoffsky*
(L. S.) *The Count de Stackelberg.*
(L. S.) *The Count de Nesselrode.*

SWEDEN, (L. S.) *The Count Charles-Axel de Lowenhielm.*

Save and except the reservation made to the Articles 101, 102, and 104, of the Treaty.

ACTS, ANNEXED TO THE GENERAL TREATY.

ACT, No. I.—*The Treaty between Russia and Austria of the* 21 *April*, 3 *May*, 1815.

In the Name of the Most Holy and Undivided Trinity.

His Majesty the Emperor of all the Russias, his Majesty the Emperor of Austria, and his Majesty the King of Prussia, being equally desirous of coming to an amicable understanding upon the measures most proper to adopt for consolidating the welfare of the Polish people, in the new relations in which they are placed by the changes effected in the fate of the Duchy of Warsaw; and wishing at the same time to extend the effects of this benevolent disposition to the provinces and districts which composed the ancient kingdom of Poland, by means of such liberal arrangements as circumstances have permitted, and by placing the intercourse of the inhabitants, in respect to commerce, upon the most advantageous footing; have agreed to conclude two separate Treaties, one between Russia and Austria; and the other between the former Power and Prussia, in order to comprise therein, the general engagements common to the three Powers, as well as the stipulations which concern them individually. Their Imperial Majesties have for this purpose named, for their separate Treaty, the following Plenipotentiaries:

His Majesty the Emperor of all the Russias, the Sieur Andrew, Count de Rasoumoffsky, his Privy Counsellor, Knight of the Orders of St. Andrew and of St. Alexander Newsky, Grand-Cross of the Order of St. Vlodimir, and his principal Plenipotentiary at the Congress.

And his Majesty the Emperor of Austria, the Sieur Clement-Venceslas-Lothaire, Prince de Metternich-Winnebourg-Ochsenhausen, Knight of the Golden Fleece, Grand-Cross of the Royal Order of St. Stephen of Hungary, Knight of the Orders of St. Andrew, of St. Alexander Newsky, and of St. Anne of the First Class, Grand Cordon of the Legion of Honour, Knight of the Orders of the Elephant, of the Supreme Order of the Annunciation, of the Black Eagle and the Red Eagle, of the Seraphim, of St. Joseph of Tuscany, of the Orders of St. Hubert, of the Golden Eagle of Wurtemberg, of Fidelity of Baden, of St. John of Jerusalem, and of several others; Chancellor of the Military Order of Maria-Theresa, Curator of the Academy of the Fine Arts, Chamberlain, intimate and actual Counsellor of his Majesty the Emperor of Austria, King of Hungary and Bohemia, his Minister of State, of Conferences, and of Foreign Affairs, and his Plenipotentiary at the Congress; who, after having exchanged their full powers, found in due and proper form, have agreed upon, concluded, and signed the following Articles:

ART. I. His Majesty the Emperor of all the Russias cedes to his Imperial and Royal

Apostolic Majesty, the districts which were dismembered from Eastern Galicia, in virtue of the Treaty of Vienna of 1809, from the circles of Zloczow, Bzzezan, Tarnapol, and Zalesczyk; and the frontiers on this side shall be re-established as they existed previous to the date of the said Treaty.

ART. II. His Imperial and Royal Apostolic Majesty shall possess, in full property and sovereignty, the salt-mines of Wieliczka, and the territory belonging to them.

ART. III. The Thalweg of the Vistula shall separate Gallicia from the territory of the free town of Cracow. It shall also form the frontier between Gallacia and that part of the ancient Duchy of Warsaw united to the dominions of his Majesty the Emperor of all the Russias, as far as the environs of the town of Zawichost. The land frontier from Zawichost to the Bug shall be determined by the line designated in the Treaty of Vienna of 1809, with such modifications as, by common consent, it may be thought necessary to introduce. The frontier from the Bug, shall be re-established on this side, between the two empires, such as it was before the said Treaty.

ART. IV. The city of Cracow, as well as the territory designated in the additional Treaty, signed in common by the Courts of Russia, Austria, and Prussia, are declared free and independent.

ART. V. The Duchy of Warsaw, excepting the parts which have been otherwise disposed of, in virtue of the above Articles, and by the Treaty signed the same day between their Majesties the Emperor of Russia and the King of Prussia, is united to the empire of Russia, to which it shall be irrevocably attached by its constitution, and be possessed by his Majesty the Emperor of all the Russias, his heirs and successors, for ever. His Imperial Majesty reserves to himself the right of giving to this State, enjoying a distinct administration, such interior improvement as he shall think proper. He shall add to his other titles that of Czar, King of Poland, agreeably to the form established for the titles attached to his other possessions.—The Poles, subjects, respectively, of the High Contracting Parties, shall obtain a representation, and national institutions regulated conformably to the system of political existence that each of the governments to which they belong shall think it useful and convenient to grant them.

ART. VI. If the inhabitants and landowners of the countries separated in virtue of the present Treaty should wish to settle under another Government, they shall be allowed six years to dispose of their property, moveable or immoveable, of whatever nature it may be, to sell it, to quit the country, and to export the produce thereof in specie, or in any other description of money, without any impediment or drawback whatever.

ART. VII. A complete, general, and special amnesty shall be granted to all individuals, of whatever rank, sex, or condition they may be.

ART. VIII. In consequence of the preceding Article, no individual shall in future be prosecuted or disturbed, in any manner whatever, on account of his direct or indirect participation in the political, civil, or military events that have taken place in Poland at any period. All actions, prosecutions, or suits, shall be considered as at an end; sequestrations and provisional confiscations shall be taken off, and any act proceeding upon such grounds, shall not be followed up.

ART. IX. From these general regulations on the subject of confiscations are excepted all those cases in which edicts or sentences, finally pronounced, have already been fully executed, and have not been annulled by subsequent events.

ART. X. The condition of a subject of both Governments, as far as property is concerned, shall be acknowledged and maintained.

ART. XI. Every individual who possesses property under more than one Government shall be obliged, in the course of a year, dating from the day of the ratification of the present Treaty, to make the declaration of his settled abode, in writing, before the magistrate of the nearest city or town, or before the Commander of the nearest district, or before the nearest civil authority in the country that he may have chosen for his residence. This declaration, which the above Magistrate or other authority is to transmit to the superior authority of the province, renders him, as to his person and family, exclusively the subject of the sovereign in whose states he has fixed his abode.

ART. XII. With respect to minors, or other persons who are under the care of guardians, such guardians shall be obliged to make the necessary declaration at the appointed time.

ART. XIII. If any individual, possessing property under both Governments, shall have neglected, at the end of the prescribed term of a year, to make the declaration of his final abode, he shall be considered as a subject of the Power in whose States he last resided; his silence, in this case, being considered as a tacit declaration to that effect.

ART. XIV. Any individual, possessing property under both Governments, who shall have once made a declaration of his place of abode, shall be allowed, for the period of eight years, dating from the day of the ratification of the present Treaty, to settle under another Government, by making a new declaration, and by producing the permission of the Power, under whose government he wishes to reside.

ART. XV. Any individual, possessing property under both Governments, who has made a declaration of his place of abode, or who is considered as having made it, conformably to the stipulations of Article XIII, is not obliged, at any period whatever, to dispose of the possessions he may have in the dominions of a sovereign of whom he is not a subject. He shall enjoy, with respect to this property, all the rights attached to its possession. He shall be free to expend the revenues of these possessions in the country where he shall have chosen his abode, without sustaining any deduction whatever at the time of their removal. He may sell these possessions, and take the value thereof, without being subject to any drawback.

ART. XVI. The privileges specified in the preceding Article, of removing property without diminution, shall extend only to the effects of which such individuals may be possessed at the time of the ratification of the present Treaty.

ART. XVII. The same privileges are, however, attached to every acquisition made under either Government, by reason of inheritance, marriage, or gift of property, which, at the date of the ratification of the present Treaty, belonged lastly to a proprietor under both Governments.

ART. XVIII. Should any individual, having property under one of the two Governments only, whether by inheritance, legacy, gift, or marriage, become possessed of property under the other Government, he shall be considered as a proprietor under both Governments, and, as such, obliged to make, within the prescribed time, the declaration of his fixed abode. This term of a year shall date from the day on which he shall have produced the legal proof of his acquisition.

ART. XIX. An individual possessing property under both Governments, or his agent, shall be allowed at all times to pass from one of his possessions to the other; for which purpose it is the pleasure of the two Courts that the Governor of the nearest province shall give the necessary passports, on the application of the parties. These passports shall be deemed a sufficient protection, from one Government to the other, and shall be equally respected on both sides.

ART. XX. Possessors having estates divided by the frontier shall be treated, in respect to those possessions, according to the most liberal principles. Individuals whose property is thus circumstanced, their servants and tenants, shall have the privilege of passing and repassing from one part of the possession, so divided by the frontier, to the other, with their implements of husbandry, their cattle, tools, &c. the difference of sovereignty being no impediment thereto. They may also remove, from one place to the other, theirs crops, all articles of growth, their cattle, and every article of manufacture, without passports, molestation, rent or impost whatever. This privilege is, however, limited to articles the produce of the soil, or of industry, in the territory thus divided by the line of demarcation. It likewise extends to such lands only as belong to the same person, in the fixed distance of one mile (fifteen to the degree) on both sides, and which may have been divided by the line of frontier.

ART. XXI. The shepherds and drovers, subjects of both Powers, shall continue to enjoy the rights, immunities, and privileges, which have hitherto been granted to them; and no obstacle shall prevent the daily intercourse on the frontiers between the neighbouring people. (In German, *Gränzverkehr*).

ART. XXII. The Domiciliary Court shall also decide the differences between individuals which are brought forward by the Governor of these territories. But the Court of the territory, in which the property in litigation is situated, shall cause the sentence to be put into execution. This arrangement shall be in force for the term of ten years, at the end of which the two High Courts reserve to themselves the right of making any other regulation that may be necessary.

ART. XXIII. The sovereignty of the mills, manufactories, or foundaries established in the course of a river forming the frontier, shall be exercised by the Sovereign in whose territory the village or place is situated, to which these establishments belong. Should they constitute private property, the commission charged with the demarcation of the land frontiers, shall determine, according to the principles of equity and their local situation, what shall be proper with respect to the sovereignty. It is understood that new establishments of this description shall not be formed without the consent of the governments of the respective states, bordering on the river.

ART. XXIV. The navigation of all the rivers and canals throughout the whole extent of the ancient kingdom of Poland, (as it existed before the year 1772) to their mouths, as well in ascending as in descending, shall be free, so as not to be interdicted to any inhabitant of the Polish provinces, subject to either the Russian or Austrian government. The same liberty of passage and navigation is reciprocally permitted upon the streams or rivers which, not being navigable at present, may become so in future, as well as upon canals which may hereafter be cut. The same principles shall be adopted in favour of the above-mentioned subjects, in regard to their frequenting ports at which they may arrive by the navigation of the said rivers and canals.

ART. XXV. The tonnage and towage duties shall be alike on both rivers; the watermen shall nevertheless be obliged to conform to the regulations of the existing Police with regard to the mode of internal navigation.

ART. XXVI. In order to secure still further this liberty of navigation, and to remove every obstacle for the future, the two High Contracting Parties have agreed to establish only one kind of duty on shipping, proportioned to the burthen or tonnage of the vessel, or its lading. Commissioners shall be named on both sides to regulate the duty, which shall be at a moderate rate, and be solely applied to maintaining the rivers and canals in question, in a navigable state. This duty, once approved of by the two Courts, shall be changed only by common consent. The same rule shall be observed with regard to the Boards which shall regulate the collection of the said duty. If, however, either of the two Contracting Powers should, at His own expense, establish a new canal, the subjects of his Majesty the Emperor of all the Russias shall never be subjected to higher duties on navigation than those of his Majesty the Emperor of Austria. In this respect each party shall be considered on a perfect equality.

ART. XXVII. The Commissioners who shall be charged with the arrangements determined in the above Articles, shall be named without delay. Their labours shall be finished, examined, and approved, within six months at the latest, dating from the day of the ratification of the present Treaty.

ART. XXVIII. The two High Contracting Parties, with the view of giving greater scope to the commercial relations, especially between Brody and Odessa, and *vice versâ*, have agreed to grant the most perfect liberty in favour of the transit of merchandize, throughout all parts of ancient Poland. The duties to be collected on this account shall be as moderate as possible, and such as are levied on the merchants, or subjects of the most favoured nations.

ART. XXIX. With the view also of encouraging the import and export trade between the said provinces which constituted the ancient kingdom of Poland, it has been mutually agreed that the two Courts shall name Commissioners, who are to be charged with examining the regulations and tarifs now in force, to present plans, tending to regulate whatever is relative to this commerce, and especially to prevent all kinds of abuse, or undue interference on the part of the customs.

ART. XXX. His Imperial and Royal Apostolic Majesty having issued from his general fund of state debts, (universal Stadts Schuldencassa) bonds for a sum equal to the quota of the old debts of the King and the Republic of Poland, with which he had been burthened, in consequence of the Convention of the 15th (26th) January 1797, and as these bonds are henceforth to remain at his charge, with all the arrears of, and present interest; it is agreed between the High Contracting Parties, that the government of the duchy of Warsaw, under the guarantee of his Majesty the Emperor of all the Russias, shall be bound, on this account, to make good to the Court of Vienna, by way of a settlement in full, the sum of four millions of Polish florins.

ART. XXXI. On the other hand, his Imperial and Royal Apostolic Majesty fully renounces every other pretension relative to loans and debts, of whatsoever nature they may be, which have been, or which might be either assigned to, mortgaged upon, or registered against the ceded territory.

ART. XXXII. The four millions of Polish florins, stipulated in Article 30, as a settlement in full on the part of the government of the duchy of Warsaw, shall be paid by that government to the Austrian Imperial treasury, in specie, and in eight equal annual instalments of 500,000 Polish florins each; the first of these annual payments shall become due the 12th (24th) June 1816, and the last on the same day in 1824. Having, however, taken into consideration the actual state of affairs, and the new exertions which circumstances may require, the High Contracting Parties have agreed, that if peace is not re-established at the precise time of the first payment becoming due, such first payment is to be deferred, and consequently the others progressively, so that the first payment shall take place six months after the ratification of the definitive Treaty of Peace.

ART. XXXIII. With respect to the new debts, which bear date since the erection of the duchy of Warsaw, his Imperial and Royal Apostolic Majesty undertakes to provide for them, in the proportion of one ninth part; it being understood that the Court of Vienna shall participate in the interest resulting from their liquidation, in the same proportion.

ART. XXXIV. Immediately after the signature of the present Treaty, a Commission shall be named, which shall assemble at Warsaw. It shall be composed of a proper number of commissioners and assistants: its object shall be; 1. To prepare an exact balance of what is due by foreign governments. 2. To regulate, reciprocally, between the Contracting Parties, the accounts of their respective claims. 3. To settle the claims of subjects against their governments. In short, to adjust whatever relates to subjects of this nature.

ART. XXXV. As soon as the Commission mentioned in the preceding Article shall have entered upon its duties, it shall appoint a committee, for the purpose of proceeding immediately to the necessary arrangement for the restitution of all securities, whether consisting of money, or of deeds and documents, which the subjects of one of the Contracting Parties may have given, and which may be found in the states of the other. The same rule shall be observed in all judiciary depôts which may have been transferred from one province to the other. They shall be restored to the jurisdictions of the governments to which they belong.

ART. XXXVI. All documents, plans, maps or deeds whatever, which may be found in the archives of either of the Contracting Parties, shall be mutually restored to the power whose territory they concern. If a document of this kind be of common interest, the party who is in possession of it shall keep it, but a certified and legalized copy shall be given to the other.

ART. XXXVII. The acts of administration shall be separated: each of the Contracting Parties shall receive the part which concerns his states. The same rule shall be observed with regard to mortgage books and deeds. In the case provided for in the preceding Article, a legalized copy shall be given.

ART. XXXVIII. A military and civil Commission shall be immediately appointed, to construct an exact map of the new frontier, annexing the topographical description thereto, to place the boundary posts, and describe the angles of its situation, so that in no case the least doubt, dispute or difficulty may arise, if, in the course of time, it should be wished to replace a boundary mark, destroyed by any accident.

ART. XXXIX. It is agreed between the two High Contracting Parties, that the contract for the purchase of 500,000 quintals of salt, shall be mutually binding, for the term of five years; at the end of which period it may be renewed, on the conditions which shall then be agreed upon.

ART. XL. Immediately after the ratification of the present Treaty, the necessary orders shall be sent to the commanders of troops, and the competent authorities, for the evacuation of the provinces which are restored to his Majesty the Emperor of Austria, and for the restitution of the country, to Commissioners, who shall be appointed for this purpose; and this evacuation shall be effected so that it may be completed in six weeks, dating from the day of the exchange of the ratifications of the present Treaty.

ART. XLI. The present Treaty shall be ratified, and the ratifications exchanged in six days. In faith of which the respective Plenipotentiaries have signed it, and have affixed thereunto the seals of their arms. Done at Vienna the 21st April, (3d May) 1815.

Signed (L. S.) *The Count de Rasoumoffsky.*
(L. S.) *The Prince de Metternich.*

ACT, No. II.—*Treaty between Russia and Prussia of the 21st April (3d May)* 1815.

In the Name of the Most Holy and Undivided Trinity.

His Majesty the Emperor of all the Russias, and his Majesty the King of Prussia, animated with the desire of cementing more closely the ties of friendship which have united their arms and their subjects in a difficult and sanguinary war, the sacred object of which was to restore peace to Europe and tranquillity to nations, have judged it expedient, in order to fulfil their immediate engagements, and to put an end to all uncertainties, to fix definitively, by a solemn Treaty, every thing which concerns the arrangements relative to the duchy of Warsaw; as well as to settle the state of affairs resulting therefrom, by combined negotiations, founded upon the principles of a just balance of power and division of forces, discussed and agreed upon at the Congress of Vienna.—The national spirit, the advantages of commerce, the arrangements which may restore stability to the administration, regularity in the finances, public and individual prosperity in the provinces recently obtained, have all been taken into consideration, and their Imperial and Royal Majesties, in order to complete this salutary work, to settle and fix definitively the limits of their states, to agree on all the stipulations which can insure their happiness, have named for their Plenipotentiaries, viz.: His Majesty the Emperor of all the Russias, the Sieur Andrew, Count de Rasoumoffsky, his Privy Counsellor, Knight of the Orders of St. Andrew, and of St. Alexander Newsky, Grand Cross of the Order of St. Wolodimir, and his First Plenipotentiary at the Congress; and his Majesty the King of Prussia, the Prince Hardenberg, his Chancellor of State, Knight of the Grand Orders of the Black Eagle and of the Red Eagle, of St. John of Jerusalem, and of the Iron Cross of Prussia, of the Orders of St. Andrew, St. Alexander Newsky, and of St. Ann of the first class of Russia, Grand Cross of the Royal Order of St. Stephen of Hungary, Grand Eagle of the Legion of Honour, Knight of the Order of St. Charles of Spain, of the Supreme Order of the Annunciation, of the Seraphim of Sweden, of the Order of the Elephant of Denmark, of the Golden Eagle of Wurtemburg, and of several others, his First Plenipotentiary at the Congress; Who, after having exchanged their full powers, and found them in good and due form, have agreed on the following Articles: these Articles having been negociated in common with the Treaties between Russia, Austria, and Prussia respectively, are inserted in all their form and tenor, excepting the modifications which are contained in that concluded with his Imperial and Royal Apostolic Majesty, occasioned by the particular state of affairs.

ART. I. The part of the duchy of Warsaw which his Majesty the King of Prussia is to possess, in full sovereignty and property, for himself and his successors, under the title of Grand Duchy of Posen, shall be comprised within the following line of demarcation:—Commencing from the frontier of Eastern Prussia, at the village of Neuhoff, the new limit shall follow the frontier of Western Prussia, as it has existed from 1772 to the Peace of Tilsit, as far as the village of Leibitsch, which shall belong to the duchy of Warsaw; from thence a line shall be drawn, which, leaving Kompania, Grabowiec, and Szczytno, to Prussia, passes the Vistula near the latter place, on the other side of the river, which falls, opposite Szczytno, into the Vistula, as far as the ancient limit of the district of the Netze, near Gros-Opoczko, in such a manner that Sluzewo shall belong to the duchy, and Przybranowa, Hollander, and Maciejewo, to Prussia. From Gros-Opoczko it shall pass through Chlewiska, which shall remain to

Prussia, to the village of Przybyslaw, and from thence by the villages of Piaski, Chelnice, Witowickski, Kobylinka, Woyczyr, Orchowo, as far as the town of Powidz. From Powidz it shall continue through the town of Slupse, to the point at which the rivers Wartha and Prosna join. From this point it ascends the river Prosna as far as the village of Koscielnawies, a league from the town of Kalisch: Thence, leaving to this town, (on the left bank of the Prosna) a territory describing a semi-circle, measured according to the distance between Koscielnawies and Kalisch, it rejoins the course of the Prosna, and continues to follow it, ascending by the cities Grabow, Wieruszow, Boleslawiec, and ending near the village of Gola, at the frontier of Silesia, opposite Pitschin.

ART. II. The city of Cracow is declared free and independent, as well as the territory designated in the additional Treaty, signed in common by the courts of Russia, Austria, and Prussia.

ART. III. The duchy of Warsaw, with the exception of the free city of Cracow and its territory, as well as of that line on the right bank of the Vistula which is restored to his Majesty the Emperor of Austria, and, excepting also the provinces which have otherwise been disposed of, in conformity to the Articles abovementioned, is united to the empire of Russia, to which it shall be irrevocably attached by its constitution, to be possessed by his Majesty the Emperor of all the Russias, his heirs and successors, in perpetuity. His Imperial Majesty reserves to himself the right of giving to this state, enjoying a distinct administration, the internal modification which he shall judge proper. He shall assume, in addition to his other titles, that of Czar, King of Poland, agreeably to the form established for the titles attached to his other possessions.—The Poles, subjects respectively of the High Contracting Powers, shall obtain institutions by which the preservation of their nationality may be insured, according to the degree of political existence which each of the governments to which they belong, shall judge proper to allow them.

ART. IV. If the inhabitants and landed proprietors of the countries which have been separated in consequence of the present Treaty, wish to settle under another government, they shall be at liberty, during six years, to dispose of their property, moveable or immoveable, of whatever nature it may be, to sell it, to quit the country, and to remove the produce thereof, either in specie, or other description of money, without any impediment or deduction whatever.

ART. V. A complete, general, and special amnesty shall be granted to all individuals, of whatever rank, sex, or condition they may be.

ART. VI. In consequence of the preceding Article, no person shall in future be molested or disturbed, in any manner, on account of any part he may have taken, either directly or indirectly, and at any period, in the political, civil, or military events in Poland. All processes, proceedings, or prosecutions, shall be regarded as null. Sequestrations or provisional confiscations shall be taken off, and any act proceeding from similar causes, shall be of no effect.

ART. VII. From these general regulations respecting confiscations, all cases are excepted in which edicts or sentences, finally pronounced, shall have been carried into complete execution, and have not been annulled by subsequent events.

ART. VIII. The quality of a subject, of the two governments, with regard to property, shall be acknowledged and confirmed.

ART. IX. Every individual, possessing property under more than one government, is required, in the course of a year, dating from the day of the ratification of the present Treaty, to declare, in writing, before the magistrate of the nearest town, or the commander of the nearest district, or before the nearest civil authority in the country which he has chosen to reside in, the place which he shall have fixed upon for his settled abode. This declaration, which the above magistrate or other authority shall transmit to the superior authority of the province, renders him, as to his person and his family, exclusively the subject of the sovereign in whose states he has fixed his said residence.

ART. X. With regard to minors and other persons under the care of guardians, such guardians shall be compelled to make the necessary declaration at the time prescribed.

ART. XI. If an individual, possessing property under both governments, shall have neglected, at the expiration of the said term of one year, to make the declaration of his fixed abode, he shall be considered as being the subject of the power, in whose states he last resided; his silence, in this case, being considered a tacit declaration.

ART. XII. Every individual possessing property under both governments, having once declared his place of abode, shall nevertheless retain, during the term of eight years, dating from the day of the ratification of the present Treaty, the liberty of settling under another government, upon making a new declaration of his abode, and upon producing the permission of the power, under whose government he wishes to settle.

ART. XIII. Any individual possessing property, and circumstanced as above, who has made his declaration of abode, or who is considered as having made it, conformably to the stipulations of the 11th Article, is not obliged to sell, at any period whatever, the property which he may possess in the states of a sovereign of whom he is not a subject. He shall enjoy, with regard to this property, all the rights which attach to possession. He shall be allowed to expend the revenues thereof in the country where he has chosen his residence, without being subject to any drawback at the time of exportation, and he may dispose of the said possessions, and remove the value thereof, without any impediment whatever.

ART. XIV. The privileges mentioned in the preceding Article extend solely to the property which such individual may possess at the time of the ratification of the present Treaty.

ART. XV. The same privileges are, however, attached to every acquisition made under either government by reason of inheritance, marriage, or gift of an estate, which at the date of the ratification of the present Treaty shall finally belong to a possessor under both governments.

ART. XVI. Should any individual, previously possessing property under one government only, become entitled, by inheritance, legacy, gift, or marriage, to any property under the other government, he shall be considered as a possessor under both governments, and shall be required to declare his place of abode in the prescribed term of a year. This term shall be dated from the day on which he shall have produced the legal proofs of his new acquisition.

ART. XVII. Any individual, possessing property under both governments, or his agent, shall be at liberty, at all times, to proceed from one of his possessions to the other; and it is the pleasure of the two Courts, that the Governor of the nearest province shall grant the necessary passports for this purpose, on application of the parties. These passports shall be deemed sufficient authority for passing from one government to the other, and shall be mutually respected.

ART. XVIII. Possessors whose estates are divided by the frontier, shall be treated, in regard to such possessions, on the most liberal principles. Possessors under both governments, their servants and tenants, shall have the liberty of passing and repassing, with their implements of husbandry, their cattle, utensils, &c. from one part of the estate, thus separated by the frontier, to the other, the difference of sovereignty being no impediment thereto; as well as of removing, from one place to the other, their harvests, all productions of the soil, their cattle, and all manufactured articles, without passports, molestation, rent or impost, or duty whatever. This favour, however, shall be limited to articles of growth or of industry, in the territory thus separated by the line of demarcation. It shall likewise extend to such lands only as belong to the same individual, in the defined distance of a mile (15 to a degree) on each side of the frontier line.

ART. XIX. The shepherds and drovers, subjects of both Powers, shall continue to enjoy the rights, immunities, and privileges, which were formerly granted to them; nor shall any obstacle be thrown in the way of the daily communications between the inhabitants of the borders. (In German, *Grans verkehr*).

ART. XX. The Domiciliary Court shall likewise decide differences, which may arise between any individual and the Governor of those territories, but it is the Chief Court of the territory, wherein the property in litigation is situated, which shall cause the sentence, emanating from the former Court, to be put in execution. This regulation shall be in force for the term of ten years, at the expiration of which, the two High Powers reserve to themselves the right of making any other regulation that may be necessary.

ART. XXI. The sovereignty of mills, manufactories, or foundaries, established upon a river constituting the frontier line, shall be exercised by the sovereign of the territory in which the village or place shall be situated, to which such establishment may belong. In the event of their constituting private property, the Commissioners who shall be charged with the demarcation of the line of frontier, shall determine, according to locality and the principles of equity, what shall be proper, as to the sovereignty. It is expressly understood, that new establishments of this description shall not be formed without the mutual consent of the governments of the respective states bordering on the rivers.

ART. XXII. The navigation of all rivers and canals, in all parts of ancient Poland (as it existed in the year 1772) along their whole extent, as far as their mouths, as well in going up as in coming down, whether those rivers be navigable at present, or become so in future, as well as canals which may be hereafter cut, shall be free, so as not to be interdicted to any inhabitant of the Polish provinces under the Russian and Prussian governments. The same principles established in favour of the subjects of the two High Powers, shall apply to the trade they carry on; it being understood that they refer to those parts only, at which they may arrive by the said streams, rivers, and canals, or by the Haff, in order to enter the port of Konigsberg.

ART. XXIII. The tonnage and towage duties on the banks of streams, rivers, and canals, shall be levied equally on the subjects of the two Powers. Boatmen shall nevertheless conform to the regulations of the Police, with regard to the interior navigation.

ART. XXIV. In order to secure, still further, the freedom of navigation, and to remove every obstacle thereto for the future, the two High Contracting Parties agree to establish only one kind of duty on navigation, levied according to the burthen, the tonnage, or the lading of the vessel. Commissioners shall be respectively appointed to regulate this duty, which shall be levied at a very moderate rate, to be applied solely to the keeping the rivers and canals in a navigable state. This duty, once approved by the two Courts, cannot again be altered but by common consent. The same rule shall be observed with regard to the Boards which are to settle the collection of those duties. The rate thus established, shall be collected on the territory of each of the two Contracting Powers, on their respective account. If, however, either of the two Contracting Powers should cut, at their own expense, a new canal, the subjects of his Prussian Majesty shall never be liable to higher duties on navigation, than those of his Majesty the Emperor of all the Russias. In this respect, both the parties shall be placed upon a perfect equality.

ART. XXV. In consequence of the principle laid down in the preceding Article, all oppressive duties of *entrepôt*, of staple, of breaking bulk, and others of a like nature, which may have been injurious to the free navigation of the said rivers and canals, shall be for ever abolished throughout their whole extent.

ART. XXVI. With regard to the rights and privileges of certain towns and ports, which might affect the rights of property, and which would consequently be contrary to the principles reciprocally adopted, it has been agreed that they shall be examined by a Board of Commissioners, appointed by the two Courts, to determine which shall be abolished, and to give that freedom and activity to commerce which is necessary to its prosperity. The Commissioners for this purpose, shall be nominated forthwith, and their operations shall be completed and approved six months, at latest, after the date of the ratification of the present Treaty.

ART. XXVII. Each Power shall be at liberty to accredit to the other consuls, or commercial agents, on condition, however, that they shall be recognised according to the usual forms.

ART. XXVIII. In order to promote agriculture as much as possible in all parts of ancient Poland, to encourage the industry of its inhabitants, and to insure their prosperity, the two High Contracting Parties have agreed, that their paternal and beneficent views, in this respect, may be clearly understood, that the most unlimited circulation, for the future and for ever, of all articles of growth and industry, shall be permitted throughout their Polish provinces (as it existed in 1772). The Commissioners appointed to make the arrangements, conformable to the stipulations of the 26th Article, shall likewise determine, in the prescribed term of six months, the tarif of duties on the import and export of all articles of produce and manufacture, in the above-mentioned provinces. This duty shall not exceed 10 per cent. which is to be levied on the value of the merchandize, at the place of its departure. If the two Courts should think proper, respectively, to establish a duty on the importation of grain, it shall be fixed at the most moderate rate by the said Commissioners, according to the instructions which shall be given them. In order to prevent foreigners profiting by the arrangements made in favour of the provinces above mentioned, it is determined, that all articles, the produce thereof, which shall pass from one territory to the other, shall be accompanied with the certificate of origin, without which they shall not be allowed to enter. In case the consul should be at too great a distance to grant one, that of the Magistrate of the place shall be sufficient.

ART. XXIX. The transit of merchandize shall be perfectly free in all parts of ancient Poland, and shall be subject to the most moderate duties. The Commission, mentioned in the 26th and 28th Articles, shall determine the mode by which the value shall be ascertained, and shall consider of the most certain means of preventing all delay in passing the Custom-houses, or any kind of impediment whatever.

ART. XXX. The stipulations agreed upon in the above-mentioned Articles, relative to commerce and navigation, shall not be partially applied: consequently, up to the period (which shall not exceed six months) in which the above-mentioned Commission shall have completed their labours, the navigation shall continue on the same footing as latterly. With regard to the import trade, each government shall adopt, during the interval, such measures as may be judged most expedient.

ART. XXXI. The particular attention of the two High Courts has been directed towards the regulations concerning debts, and the fixing of the proportions which each of the Contracting Powers shall bear in a transaction on which depend the interest of individuals, the regularity of the finance, and the execution of treaties. It has therefore been resolved to proceed with that precision which such arrangements require; and to distinguish them; viz. into old debts, those of King Stanislaus Augustus, and of the former Republic; and, into new ones, those of the Duchy of Warsaw.

ART. XXXII. With regard to the first class, all such debts as are to be liquidated by Prussia, in virtue of the Treaty of 1797, having been converted into bonds of the Maratime Society, known by the name of Recognizances, and his Majesty being willing to become responsible for the total amount of those bonds, with their interest, the security which the Duchy of Warsaw (under the guarantee of the Emperor of all the Russias) is to afford to Prussia with regard to the principal, has been regulated, as well with respect to capital as interest, in the Table A. It has been determined, in consequence, that the regulations contained in that table should be considered as having the same validity as if they had been inserted, word for word, in the present Article. The table has, for this reason, been signed separately, and the sum total which thereby accrues to Prussia, shall be reimbursed to that Power in eight equal annual Payments, with an interest at the rate of 4 per cent. it being understood, that the instalments shall be regulated in such manner, that no compound interest shall be paid. The first payment shall be made 12th (24th) June 1816.

The High Contracting Powers having, however, taken into consideration the actual state of affairs, and the new efforts which the circumstances may require, have agreed; that if peace be not re-established at the abovementioned period, the first payment is to be deferred, and the others progressively, according to the rule laid down, until the time when the troops of the respective Powers shall have returned to their homes.

ART. XXXIII. The Duchy of Warsaw shall be at liberty to reimburse Prussia, for the capital and interest, as settled in the aforesaid table, either in bonds of the Maritime Society, called Recognizances, in such bills as may supply the place of these Recognizances, or in specie; and, in the latter case, His Prussian Majesty consents to a discount of 10 per cent. This discount, however, is not to be taken on payment of the current interest, which may nevertheless be discharged in paper currency. *(Coupons courants).*

ART. XXXIV. With respect to the new debts of the Duchy of Warsaw, His Prussian Majesty undertakes to provide for them in the proportion of three tenths; it being understood that the Court of Prussia shall participate in the interest which may accrue on their liquidation, in the same proportion.

ART. XXXV. The quota which his Majesty the Emperor of all the Russias engages to provide for the old debts of the Duchy of Warsaw, being specified in the table B, the regulations contained therein shall be considered as having the same validity as if they were inserted in the present Article, and the Russian Imperial Treasury shall pay, without delay, to the Prussian government, the amount which shall appear in this table, in the same order, by the same instalments, and bearing the same interest, as is stipulated and agreed upon for the reimbursements to be made from the treasury of the Duchy of Warsaw, under the guarantee of His Imperial Majesty; so that the said Duchy shall not be charged, on the part of Prussia, with a greater sum than eighteen millions, five hundred and seventy-three thousand, nine hundred and fifty-two, and twenty-one thirtieths, Polish florins.

ART. XXXVI. Immediately after the signature of the present Treaty, a Commission shall be named, which shall assemble at Warsaw. It shall be composed of a proper number of Commissioners and clerks: its object shall be: 1. To prepare an exact balance of what is due by foreign governments. 2. To regulate reciprocally between the Contracting Parties the demands arising from their respective claims. 3. To settle the claims of subjects upon their governments. In fine, to adjust whatever relates to subjects of this nature.

ART. XXXVII. As soon as the Commission mentioned in the preceding Article shall have assembled it shall name a Committee, for the purpose of proceeding immediately to the necessary arrangements for the restitution of all securities, whether consisting of money, or in deeds and documents, which the subjects of one of the Contracting Parties may have given, and which may be in the states of the other. The same rule shall be observed in all law or other offices, which may have been transferred from one province to the other. They shall be restored to the jurisdiction of the governments to which they belong.

ART. XXXVIII. All documents, plans, maps, or deeds whatever, which may be found in the archives of either of the Contracting Parties, shall be mutually restored to the Power whose territory they concern. If a document of this kind be of a common interest, the party who is in possession of it shall keep it, but a certified and legalised copy thereof shall be given to the other.

ART. XXXIX. Acts of the administration shall be separated. Each of the Contracting Parties shall receive the part which concerns His states. The same rule shall be observed with regard to books and deeds concerning mortgages. In the case provided for in the above Article, a legalised copy shall be given.

ART. XL. If the restitution of the different kinds of depôts which, during the war of 1806, were placed in security at Konigsberg by Prussian officers, has not yet been effected, it shall take place forthwith, according to the principles established by the Convention of the 10th of September 1810, and conformably to what has been settled in the conferences of the respective Commissioners who have discussed this subject at Warsaw.

ART. XLI. A military and civil Commission shall be immediately appointed, to construct an exact map of the new frontier, annexing the topographical description thereto, to place the boundary posts, and describe the angles of its situation, so that in no case the least doubt, dispute, or difficulty may arise, if, in the course of time, the replacing of a boundary mark, destroyed by any accident, should be disputed.

ART. XLII. Immediately after the ratification of the present Treaty, the necessary orders shall be sent to the commanders of troops in the Duchy of Warsaw, as well as to the competent authorities, for the evacuation of the provinces which are restored to his Prussian Majesty, and for the restitution of the country to the Commissioners who shall be appointed for that purpose. And this evacuation shall take place so as to be completed in twenty-one days.

ART. XLIII. The present Treaty shall be

ratified, and the ratifications shall be exchanged in six days. In faith of which the respective Plenipotentiaries have signed the same, and have affixed thereunto the seals of their arms. Done at Vienna, the 21st April, 3rd May, 1815.

Signed (L. S.) *The Count de Rasoumoffsky.*
(L. S.) *The Prince de Hardenberg.*

ACT, No. III.—*Additional Treaty relative to Cracow, between Austria, Prussia, and Russia, of 21st April, 3rd May, 1815.*

In the Name of the Most Holy and Undivided Trinity.

His Majesty the Emperor of Austria, King of Hungary and Bohemia, his Majesty the King of Prussia, and his Majesty the Emperor of all the Russias, wishing to give effect to that Article of their respective Treaties which relates to the neutrality, the liberty and independance of the city of Cracow and of its territory, have appointed, to fulfil their benevolent intentions in this respect, namely:

His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Clement Winceslas Lothaire, Prince de Metternich-Winnebourg-Ochsenhausen, Knight of the Golden Fleece, Grand-Cross of the Royal Order of St. Stephen of Hungary, Knight of the Orders of St. Andrew, of St. Alexander Newsky, and of St. Anne of the First Class, Grand-Cordon of the Legion of Honour, Knight of the Order of the Elephant, of the Supreme Order of the Annunciation, of the Orders of the Black and Red Eagle, of the Seraphim of Sweden, of St. Joseph of Tuscany, of St. Hubert, of the Golden Cross of Wurtemburg, of the Order of Fidelity of Baden, of St. John of Jerusalem, and of several others, Chancellor of the Military Order of Maria Theresa, Curator of the Academy of the Fine Arts, Chamberlain, Privy Counsellor to his Majesty the Emperor of Austria, King of Hungary and Bohemia, his Minister of State, of Conference and of Foreign Affairs, and his Plenipotentiary at the Congress;

His Majesty the King of Prussia, the Prince Hardenberg, his Chancellor of State, Knight of the Grand Order of the Black Eagle and of the Red Eagle, of the Order of St. John of Jerusalem, and of the Iron Cross of Prussia, of the Orders of St. Andrew, of St. Alexander Newsky, and of St. Anne of the First Class of Russia, Grand Cross of the Royal Order of St. Stephen of Hungary, Grand Eagle of the Legion of Honour, Knight of the Order of St. Charles of Spain, of the Supreme Order of the Annunciation, of the Order of the Seraphim of Sweden, of the Elephant of Denmark, of the Golden Eagle of Wurtemberg, and of several others, his First Plenipotentiary at the Congress; and

His Majesty the Emperor of all the Russias, the Sieur Andrew Count Rasoumoffsky, his Privy Counsellor, Knight of the Orders of St. Andrew and of St. Alexander Newsky, Grand-Cross of the Order of St. Wolodimir, and his First Plenipotentiary at the Congress; who, after having exchanged their full powers, found in good and due form, have agreed upon, concluded, and signed the following Articles:

ART. I. Cracow with its territory, shall be considered for ever as a free, independant, and strictly neutral city, under the protection of the three High Contracting Powers.

ART. II. The territory of the free city of Cracow shall have for its frontier, on the left bank of the Vistula, a line which shall commence at the village of Wolica, on the spot where a rivulet falls into the Vistula, and ascend this rivulet by Clokoscielnicki as far as Czulice, so that these villages are comprised in the district of the free city of Cracow: From thence, passing along the frontiers of the villages, it shall continue by Dziekanovice, Garlice, Tomaszow, Karniowice, which shall also remain to the territory of Cracow, to the point where the limit, which separates the district of Krzezovice from that of Olkusz, commences: From thence it shall follow the limit between the two districts above-mentioned, till it reaches the frontier of Prussian Silesia.

ART. III. His Majesty the Emperor of Austria being anxious, on his part, to improve the commercial relations and good understanding between Gallicia and the free city of Cracow, grants in perpetuity to the city of Podgorze, bordering on the river, the privileges of a free commercial city, with the same advantages as are enjoyed by the city of Brody. This freedom of commerce shall extend to a line of 500 hundred toises from the barriers of the suburbs of the city of Podgorze. In virtue of this privilege, which, however, is not to affect the rights of sovereignty of his Imperial and Royal Apostolic Majesty, Austrian custom-houses shall be established in no places but those situated beyond the above-mentioned line, nor shall any military establishment be formed which can menace the neutrality of Cracow, or prevent that freedom of commerce which his Imperial and Royal Apostolic Majesty is desirous of affording to the town and district of Podgorze.

ART. IV. In pursuance of this concession, his Imperial and Royal Apostolic Majesty has determined to grant permission for the city of Cracow to extend its bridges over to the right bank of the Vistula, and to fasten its boats at those places through which it has always been in the habit of communicating with Podgorze. The city shall be at the expense of repairing the bank where its bridges are anchored or moored. It shall also be at the expense of repairing the bridges, as well as the ferry-boats provided for the season, when a bridge of boats cannot be maintained. Should there, however, be any relaxation, neglect, or ill-will, in the establishment, the three Courts shall, if any such facts be proved, order such a police, at the charge of the town, as may be competent to guard against any abuses of this description in future.

ART. V. Immediately after the signature of the present Treaty, a joint Commission shall be appointed, composed of an equal number of commissioners and engineers, to mark out the line of demarcation, to place the boundary-posts, to describe the angles and bearings, and to construct a map containing a local description, so that no misunderstanding or doubt may in future arise upon these points. The boundary-posts, describing the territory of Cracow, shall be numbered and marked with the arms of the Power bordering on that territory, and of those of the free city of Cracow. The frontiers of the Austrian territory, opposite to that of Cracow, being formed by the *Thalweg* of the Vistula, the Austrian boundary-posts shall be fixed on the right bank of that river. The circle comprehending the free commercial territory of Podgorze shall be pointed out by particular posts, marked with the arms of Austria, and bearing the inscription, "Free Line of Commerce." Wolny, Okrog, Dlahandlu.

ART. VI. The three Courts engage to respect, and to cause to be respected, at all times, the neutrality of the free city of Cracow and its territory, and no armed force shall enter it under any pretence whatsoever. On the other hand, it is understood, and expressly stipulated, that the free city and territory of Cracow shall not afford any asylum or protection to runaways, deserters, or persons under prosecution, belonging to the countries of either of the three Contracting Powers, and that, on the demand of their surrender by the competent authorities, such individuals shall be arrested without delay, and delivered up, under a proper escort, to the guard appointed to receive them at the frontier.

ART. VII. The three Courts having approved of a constitution, by which the free city of Cracow and its territory shall be regulated, and which is annexed to the present Article as an integral part thereof, respectively guarantee that constitution. They moreover engage, respectively to appoint a Commissioner, who shall proceed to Cracow, to act in concert with a temporary and local Commission, composed principally of individuals holding public situations, or of persons of character. Each of the three Powers shall, for this purpose, make choice of a candidate, either from the nobility, the clergy, or the commonalty. Each of the commissioners of the three Courts, shall fill the office of President, alternately, by the week. He who shall first preside shall be appointed by ballot, and the President shall enjoy all the rights and privileges belonging to that office.—This committee shall be employed in laying down the constitutional bases in question, and shall carry them into effect. It shall also have the gift of the first official appointments; excepting, however, those who may have been appointed to the senate by the High Contracting Parties, who, for this time, reserve to themselves the right of choosing some well known persons. It shall also employ itself in assembling and putting into action the new government of the free city of Cracow and its territory. It shall enter into immediate communication with the existing administration, and is authorized to make all such changes therein as may be necessary for the public service, so long as this temporary state of affairs shall continue.

ART. VIII. The constitution of the free city of Cracow and its territory, does not admit of the right, or establishment, of custom-houses. The city is, however, permitted to levy barrier-duties and bridge-tolls.

ART. IX. In order to establish a fixed regulation with regard to the tolls to be collected on the bridges and roads of the free city of Cracow, which are to be levied in proportion to the expense required to keep them in repair, it has been agreed that a general tarif shall be made by the Commission specified in the 7th Article. This tarif shall only apply to goods, beasts of burthen, or of draught and cattle. It shall not apply to individuals, except at those times when the passage must be effected by water. The toll-houses shall be established on the left bank of the Vistula. The same Commission shall also agree upon the principles concerning the currency.

ART. X. All the rights, obligations, advantages, and privileges, stipulated by the three High Contracting Parties, in the Articles relative to individuals possessing property under different governments, to a general amnesty, to free trade and navigation, are equally granted to the free city of Cracow and its territory. In order to facilitate the provisioning the city and territory of Cracow, the three High Courts consent to allow fire-wood, coals, and every other article of first necessity, freely to pass and repass through the territory of the city of Cracow.

ART. XI. A Commission shall regulate the rights of property, and the rents to be paid by the peasantry on ecclesiastical and crown lands, in the manner best calculated to relieve and ameliorate that class of individuals.

ART. XII. The free city of Cracow shall preserve for itself and upon its territory, the privileges of the post. Each of the three Courts, however, shall have the option of establishing either their own post-office at Cracow, for mails proceeding to and from their states, or merely to appoint a secretary at the post-office at Cracow, to superintend this department. The postage of foreign letters, and of those of the interior, shall be settled in the regulations to be agreed upon by the Commission mentioned in the 7th Article.

ART. XIII. Whatever may be found in the

free city and territory of Cracow, to have been national property of the duchy of Warsaw, shall, as such, belong in future to the free city of Cracow. This property shall constitute one of its financial funds, and the revenue arising therefrom shall be applied to the support of the academy, to other literary institutions, and principally to the improvement of the means of public education. The revenues arising from the barrier duties and bridge-tolls, are, from their nature, to be appropriated to keeping the bridges and highways in repair; both in the free city as well as in the territory of Cracow, the government shall be responsible for the execution of this part of the public service, so necessary to intercourse and commerce.

ART. XIV. The revenues of the free city of Cracow, being so regulated that the surplus of the expenses of administration shall be appropriated to the purposes mentioned in the preceding Article, the city of Cracow shall not be called upon to contribute towards the payment of the debts of the duchy of Warsaw, and, on the other hand, it shall have no share in the reimbursements which may be made to that duchy. The inhabitants of Cracow shall always be at liberty to submit the arrangement of their private claims to the Commission which shall be authorized to settle the accounts.

ART. XV. The buildings and library belonging to the academy of Cracow, its landed property, and mortgaged capital, together with all the privileges which it at present enjoys, are hereby secured to it.—Permission shall be granted to the inhabitants of the neighbouring Polish provinces to repair to that academy, and to study there, as soon as it shall be regulated conformably with the intentions of each of the three High Courts.

ART. XVI. The Bishopric of Cracow, and the Chapter of that free city, as well as all the secular and regular clergy, shall be continued. The funds, endowments, immoveable effects, rents, or collections, which constitute their property, shall be secured to them. The Senate, however, shall be at liberty to propose to the Assemblies of December, a different mode of expenditure from that which may exist, if it shall be proved that the present appropriation of the revenues, especially with regard to public instruction and the distressed situation of the inferior clergy, has been conducted in a manner contrary to the intention of the founders. In every change to be made, the same formalities shall be observed as are usual in respect to the adoption of a law of the state.

ART. XVII. As the ecclesiastical jurisdiction of the Bishopric of Cracow is not to extend to the Austrian and Prussian territories, the nomination of the bishop of Cracow is specially reserved to his Majesty the Emperor of all the Russias, who, on this particular occasion, shall make the first nomination agreeably to his own choice. In future, the Chapter and Senate shall each have the privilege of recommending two canditates for that appointment, from among whom his said Majesty shall select the new bishop.

ART. XVIII. A copy of the Articles, before-mentioned, as likewise of the constitution which forms a principal part of them, shall be formally deposited, by the joint commission designated in the 7th Article, with the archives of the free City of Cracow, as a permanent proof of the generous principles adopted by the three High Powers in favour of the free City and territory of Cracow.

ART. XIX. The present Treaty shall be ratified, and the ratifications shall be exchanged in six days. In faith of which the respective Plenipotentiaries have signed the same, and have affixed thereunto the seal of their arms. Done at Vienna, the 21st April, 3d May, 1815.

Signed (L. S.) *The Prince de Metternich.*
(L. S.) *The Prince de Hardenberg.*
(L. S.) *The Comte de Rasoumoffsky.*

Constitution of the Free City of Cracow.

ART. I. The Catholic, Apostolic, and Roman religion, is confirmed as the religion of the country.

ART. II. Every sect of the Christian religion is free, and cannot constitute any difference with regard to social rights.

ART. III. The existing rights of the agriculturist, shall be maintained. The law knows no distinction among citizens, protecting all alike. The law protects also the sects which are tolerated.

ART. IV. The government of the free City of Cracow and its territory, shall be vested in a Senate, composed of twelve members, called Senators, and a President.

ART. V. Nine of the Senators, including the President, shall be elected by the Assembly of Representatives; the remaining four shall be chosen by the Chapter and the Academy, each of which shall have the right of returning two of their members to the Senate.

ART. VI. Six members shall be appointed for life. The President of the Senate shall remain in office for three years, with the power of being re-elected. Half of the remaining senators shall retire from the Senate every year, to make room for the newly elected; the three members who are to vacate their seats at the end of the first year, shall be regulated according to age; that is to say, the youngest members shall go out the first. With regard to the four senators elected by the Chapter and Academy, two of them shall remain in office for life; the other two shall be replaced at the end of every year.

ART. VII. The members of the secular clergy, and of the University, as well as the owners of lands, houses, or any other kind of property, who pay fifty Polish florins land tax; all proprietors of manufactories, merchants, and all who are registered as members of the Exchange, distinguished artists, and professors of schools, shall, as soon as they have attained the required age, have the political right of voting. They may also be elected, provided they fulfil the other conditions which the law enjoins.

ART. VIII. The members of the administration shall be appointed by the Senate, which has the privilege of dismissing, at pleasure, public officers employed under its authority. It has likewise the nomination to ecclesiastical livings, the presentation to which belongs to the State; with the exception of four places in the chapter, which shall be reserved for the doctors of the faculties discharging the offices of instructors, and to which places the Academy shall appoint.

ART. IX. The city of Cracow with its territory shall be divided into city and country communes. The former shall, each of them, as far as local circumstances may permit, have a population of two thousand souls, and the latter three thousand five hundred, at least. Each of these communes shall have a Mayor, freely elected and charged with carrying the orders of Government into effect. In the country communes, mayoralties may be discharged by deputy, if circumstances require it.

ART. X. The assembly of Representatives shall meet in the month of December each year, and their sitting shall not exceed four weeks. The legislative power shall be vested in this assembly; it shall examine the annual accounts of the public administration, and shall prepare the budget every year; it shall elect the members of the Senate, according to the contents of the organic Article in this respect; the election of judges is also vested in this assembly, and they shall have the right (by a majority of two-thirds) to impeach public officers, of whatever rank, if suspected of embezzling money, or guilty of exaction, or of any other abuse in the discharge of their offices, and to bring them before the Supreme Court of Justice.

ART. XI. The assembly of Representatives shall be composed;—1. Of the deputies of communes, each electing one. 2. Of three members chosen by the Senate. 3. Of three prelates, appointed by the Chapter. 4. Of three doctors of the faculties, appointed by the University. 5. Of six magistrates of arbitration, actually in office, who shall serve in rotation. The President of the Committee shall be chosen from the three members appointed by the Senate. No project of a law, tending to introduce any alteration in an existing law or regulation, shall be proposed to the Committee of Representatives, unless it shall have been previously communicated to the Senate, and have received their sanction by a majority.

ART. XII. The assembly of Representatives shall employ itself in framing a civil and criminal code of laws, and in regulating the forms of proceeding. They shall appoint without delay a Committee to prepare the same, in the framing of which due regard shall be had to the local circumstances of the country, and to the habits of the people. Two members of the Senate shall be attached to this Committee.

ART. XIII. If a law has not received the consent of seven-eighths of the Representatives, and if the Senate declares, by a majority of nine votes, that the public interest requires it to be submitted again to the consideration of the Legislators, it shall be referred a second time to the decision of the Assembly of the following year. If it be an object of finance, the law of the preceding year shall remain in force until the new law has passed.

ART. XIV. The assembly of Representatives shall appoint a Magistrate of Arbitration to every district, consisting of not less than six thousand souls. He shall exercise his functions for three years. Besides his duty as Arbitrator, his business shall be to watch over the interests of minors, as well as to take cognisance of all suits relating to funds and landed property belonging to the State, or to public institutions. Upon all matters referred to him in his double capacity, he shall communicate with the youngest Senator, whose special duty it shall be to attend to the interests of minors, and to actions of law concerning funds or landed property of the State.

ART. XV. There shall be a Court of "First Instance," and a Court of Appeal. Three Judges in the former, and four in the latter Court, including their Presidents, shall hold their appointments for life. The other Judges attached to each of these Courts, to the number which local circumstances may require, shall depend upon the free election of the communes, and shall remain in office no longer than the period specified in the organic laws. These two Courts shall try causes of all descriptions, whatever be their nature, or the rank of the parties. If the decision of both Courts be alike, no further appeal can be had. If their verdicts are essentially at variance, or if the Academy, after having examined the written pleadings, declare that there is ground for a complaint of a violation of law, or that the essential forms of proceeding have not been observed in a civil cause, as well with regard to sentences inflicting capital or ignominious punishment, the suit shall again be brought before the Court of Appeal; but in this case, there shall be added to the ordinary number of Judges, all the Magistrates of Arbitration belonging to the city, and four individuals, two of whom shall be chosen by each of the leading parties concerned, from among the citizens. Three Judges are necessary to give judgment in the first instance, five in the second, and seven in the last resort.

ART. XVI. The supreme Court appointed to try such causes as are referred to in the tenth Article, shall be composed; 1. Of five

Representatives, drawn by lot. 2. Of three Members of the Senate, elected by that assembly. 3. Of the Presidents of the two Courts of Justice. 4. Of four Magistrates of Arbitration, in their turn. 5. Of three citizens, chosen by the public officer brought to trial. Nine members are necessary to pronounce the sentence.

ART. XVII. Civil and criminal causes are to be decided in open court. In the mode of proceeding, (and, in the first instance, in causes strictly criminal) the institution of Juries shall be introduced, and adapted to the local situation of the country, and to the information and character of the inhabitants.

ART. XVIII. The judiciary body is independent.

ART. XIX. At the expiration of the sixth year, dating from the publication of the constitutional charter, the necessary qualifications for becoming a Senator, by the election of the Representatives, shall be;—1. He must be thirty-five years of age. 2. He must have completed his studies in one of the universities within the ancient kingdom of Poland. 3. He must have filled the office of Mayor during two years, that of judge during two years, and that of Representative during two sessions of the assembly. 4. He must have possessed, for a year at least previous to the election, an immoveable property, charged with a land-tax of a hundred and fifty Polish florins.

The qualifications for a Judge are;—1. To be thirty years of age. 2. To have completed his studies in one of the above-mentioned universities, and to have obtained the degree of Doctor. 3. To have been with an attorney for one year, and to have practised also with an advocate for the same period. 4. To possess immoveable property to the value of eight thousand Polish florins, which must have been acquired at least a year before the election. In order to be elected a Judge of the "Second Instance," or President of either of the courts, besides these qualifications, he must have filled the office of Judge in the first court, or that of Magistrate of Arbitration for two years, and have been a representative.

To be elected Representative of a commune, it is necessary;—1. That he shall be twenty-six years of age. 2. That he shall have gone through a course of studies at the university of Cracow. 3. That he shall be possessed of immoveable property rated at ninety Polish florins, and acquired at least a year before the election. The qualifications specified in the present Article shall not be applicable to those individuals who, during the existence of the duchy of Warsaw, filled situations, by gift of the Crown, or by election of the Diet, nor shall they be applicable to those who have now obtained them by authority of the contracting Powers. These persons shall be fully entitled to be appointed or elected to every office.

ART. XX. All acts of Government, of the Legislature, and of the Courts of Justice, shall be in the Polish language.

ART. XXI. The revenues and expenditure of the Academy, shall be included in the general budget of the free city and territory of Cracow.

ART. XXII. The duty of the police and safety of the interior shall be performed by a sufficient number of the municipal militia. This detachment shall be alternately relieved, and commanded by an officer of the line, who, having distinguished himself in the service, shall accept such a retirement. A sufficient number of gendarmes shall be armed and mounted for the protection of the roads and country. Done at Vienna the 3d day of May, 1815.

Signed (L. S.) *The Prince de Metternich.*
(L. S.) *The Prince de Hardenberg.*
(L. S.) *The Comte de Rasoumoffsky.*

ACT, No. IV.—*Treaty between Prussia and Saxony of the 18th May,* 1815.

In the Name of the Most Holy and Undivided Trinity.

His Majesty the King of Prussia on the one part, and his Majesty the King of Saxony on the other, animated with the desire of renewing the ties of friendship and good understanding which have so happily subsisted between their respective states; and being anxious to contribute towards the re-establishment of order and tranquillity in Europe, by carrying into effect the territorial arrangements stipulated at the Congress of Vienna; their said Majesties have named for their Plenipotentiaries, to agree upon, conclude, and sign a Treaty of peace and friendship, viz. His Majesty the King of Prussia, the Prince Hardenberg, his Chancellor of State, Knight of the Grand Orders of the Black Eagle, and of the Red Eagle; of St. John of Jerusalem, and of the Iron Cross of Prussia; of the Orders of St. Andrew, St. Alexander Newsky, and of St. Anne of the First Class of Russia; Grand Cross of the Royal Order of St. Stephen of Hungary, Grand Eagle of the Legion of Honour, Grand Cross of the Order of St. Charles of Spain, of the Supreme Order of the Annunciation, Knight of the Order of the Seraphim of Sweden, of the Elephant of Denmark, of the Golden Eagle of Würtemburg, and of several others; and the Sieur Charles William, Boron de Humboldt, his Minister of State, Chamberlain, Envoy Extraordinary and Minister Plenipotentiary to his Imperial and Royal Apostolic Majesty, Knight of the Grand Order of the Red Eagle, of the Iron Cross of Prussia, and of St. Anne of the First Class of Russia; and his Majesty the King of Saxony, the Sieur Frederic Albert, Count de Schulemburg, his Chamberlaim, Knight of the Order of St. John of Jerusalem; and the Sieur Hans Augustus Furchtegott de Globig, his Chamberlain, Counsellor of the Court and of Justice, and Confidential Referendary; who, after having exchanged their full powers, found in due form, have agreed upon the following Articles:

ART. I. From this day there shall be peace and friendship between his Majesty the King of Prussia on the one part, and his Majesty the King of Saxony on the other, their heirs and successors, their states and respective subjects, for ever.

ART. II. His Majesty the King of Saxony renounces for ever, for himself, his heirs and successors, in favour of his Majesty the King of Prussia, all right and title to the provinces, districts, and portions of territory of the kingdom of Saxony, hereafter designated; and his Majesty the King of Prussia shall possess these countries in full sovereignty and property, and shall unite them to his monarchy. The districts and territories thus ceded, shall be separated from the remainder of the kingdom of Saxony by a line, which shall form the future boundary between the Prussian and Saxon territories, so that all places comprised within this line of demarcation shall be restored to his Majesty the King of Saxony; and his Majesty renounces the possession of all districts and territories which may be situated without this line, and which belonged to him before the war.—Setting out from the confines of Bohemia, near Wiese, in the environs of Seidenberg, this line shall follow the course of the rivulet Wittich as far as its junction with the Neisse. From the Neisse it shall reach the circle of Eigen, between Tauchritz, which shall belong to Prussia, and Bertschof remaining to Saxony. It shall then follow the northern frontier of the circle of Eigen, as far as the angle between Paulsdorf and Ober-Sohland; from thence it shall continue as far as the limits which separate the circle of Görlitz from that of Bautzen, so that Ober-mittel and Nieder-Sohland, Olisch, and Radewitz, remain to Saxony.—The great post-road between Gorlitz and Bautzen, shall belong to Prussia, as far as the limits of the two circles above mentioned; then the line shall follow the frontier of the circle as far as Dubrauke, extending along the heights on the right of the Löbauer-Wasser, in such a direction that this rivulet, with its two banks and the places adjacent, as far as Neudorff, shall remain, with that village, to Saxony. This line shall then return to the Spree, and the Schwarz-Wasser; Liska-Hermsdorf, Ketten, and Solchdorf, being transferred to Prussia.—From the Schwarz-Elster, near Solchdorf, a direct line shall be drawn as far as the boundary of the territory of the lordship of Koenigsbrück, near Grossgräbchen. This lordship shall remain to Saxony, and the line shall follow the northern frontier of this lordship, as far as that of the bailiwick of Grossenhayn, in the environs of Ortrand. Ortrand, and the road from that place by Merzdorf, Stolzenhayn, and Gröebeln to Mühlberg, with the villages through which this road passes, shall remain to Prussia; the line being so drawn, that no part of the said route shall remain out of the Prussian territory. The frontier line from Gröebeln shall be carried as far as the Elbe by Fichtenberg, and shall be continued near the bailiwick of Mühlberg. Fichtenberg shall belong to Prussia.—From the Elbe to the frontier of the country of Mersebourg, the line shall be so drawn, that the bailiwicks of Torgau, Eilenburg, and Delitsch, shall belong to Prussia, and those of Oschatz, Wurzen, and Leipsic, remain to Saxony. The line shall then follow the frontiers bordering on these bailiwicks, dividing certain *enclaves* and *demi-enclaves*. The whole road from Mühlberg to Eilenburg, shall be within the Prussian territory.—From Podelwitz, belonging to the bailiwick of Leipsic, which shall remain to Saxony, as far as Eytra, which shall also remain to that power, the line shall so divide the country of Mersebourg, as to leave Breitenfeld, Haenichen, Gross, and Klein-Dolzig, Mark-Ranstadt, and Knaut-Nauendorf, to Saxony; and Modelwitz, Skeüditz, Klein-Liebenau, Alt-Ranstädt, Schköhlen, and Zietschen, shall pass to Prussia.—Thence the line shall divide the bailiwick of Pegau, between the Floss-Graben and the Weisse-Elster, dividing the first river at the point where it separates from the Weisse-Elster, below the town of Crossen, which forms part of the bailiwick of Haynsberg, as far as the point where it joins the Saale below the town of Mersebourg; the whole course of this river, as it runs between these two towns, together with both its banks, shall belong to the Prussian territory. From thence where the frontier line touches upon the country of Zeitz, it shall follow that line as far as the country of Altenberg, near Luckau. The frontiers of the circle of Neustadt, which passes wholly under the dominion of Prussia, shall continue without alteration. The *enclaves* of Voigtland, in the country of Reuss, namely, Gefall-Blintendorf, Sparenberg, and Blankenberg, are included in the share belonging to Prussia.

ART. III. To prevent all injury of private property, and to protect, upon the most liberal principles, the property of individuals domiciliated upon the frontier, his Majesty the King of Prussia and his Majesty the King of Saxony, shall each appoint Commissioners to proceed conjointly in fixing the limits of the countries which are to change Sovereigns, in virtue of the arrangements of the present Treaty.—As soon as the Commissioners shall have executed the duty assigned to them, and the same shall have been approved by the two Sovereigns, maps shall be constructed and signed by the respective Commissioners, and boundary marks placed to define their respective limits.

ART. IV. The provinces and districts of the kingdom of Saxony, which pass under the dominion of his Majesty the King of Prussia, shall be styled, the Duchy of Saxony; and his Majesty shall add to his titles those of Duke of Saxony, Landgrave of Thuringia, Margrave of the two Lusatias, and Count of Henneberg. His Majesty the King of Saxony shall continue to bear the title of Margrave of Upper Lusatia. His Majesty shall also continue to bear those of Landgrave of Thuringia, and Count of Henneberg, in virtue of his right of eventual succession to the possessions of the Ernestine branch.

ART. V. His Majesty the King of Prussia engages, that his troops shall evacuate the provinces, districts, and territories of the kingdom of Saxony which do not pass under his dominion, and to cause the administration thereof to be restored to the Saxon authorities, in fifteen days from the exchange of the ratifications of the present Treaty.

ART. VI. Every arrangement which shall be a necessary and indispensable consequence of the cession to Prussia of the provinces and districts designated in Article 2, shall be forthwith considered; such as those which relate to the archives, debts, paper-money, or other obligations of these provinces, as well as those of the kingdom in general; also those which relate to the public funds; to arrears, particularly those of the ordinary taxes and Crown rents, which have become due during the Prussian administration; to the landed property of the religious, civil, or military public establishments; to the army, the artillery; to provisions and warlike stores; to feudal rights, and other matters of a similar nature.—With respect to feudal rights, his Majesty the King of Prussia and his Majesty the King of Saxony, being anxious carefully to remove every subject which might give rise to dispute or future discussion, respectively renounce, each in favour of the other, all right or pretension of this nature which they exercised, or might have exercised, beyond the frontiers specified in the present Treaty.—The execution of the present article shall take place by common consent, and Commissioners shall be appointed for this purpose by the two governments.

ART. VII. The separation of the records shall be effected in the following manner: The deeds of the Crown lands, documents and papers, relating exclusively to the provinces, territories or places, ceded entirely by his Majesty the King of Saxony to his Majesty the King of Prussia, shall be given up to the Prussian Commissioners in three months from the date of the exchange of the ratifications.—The restitution of plans of fortresses, and maps of towns and countries, shall be made in the same manner, and within the same period. Where a province or territory is not wholly ceded to Prussia, originals of the documents referring to it, shall either be delivered to the Prussian Commissioners, or shall remain in the hands of the Saxon authorities, according as the greater or lesser portion of the province or territory shall have been ceded. The party retaining the originals engages to furnish the other with legalised copies thereof. The Saxon Government shall retain the originals of all acts and papers which, though not coming under either of the cases above specified, are of common interest to both parties; engaging at the same time, to deliver to Prussia legalised copies of the same.—The Prussian Commissioners shall be enabled to decide which of these acts, documents, or papers, might be interesting to their government.

ART. VIII. With regard to the army, it is laid down as a principle, that all privates, non-commissioned officers, and other military persons below the rank of officers, shall be subject to that power to whom the place of their nativity shall belong. Officers of all ranks, not excepting surgeons and chaplains, are at liberty to remain in the service of that government which they shall prefer; and this privilege shall be also extended to soldiers and other military persons below the rank of officers, who are not natives of Saxony or Prussia.

ART. IX. The debts specially mortgaged on the provinces wholly ceded to Prussia, or remaining under the government of Saxony, shall be liquidated by the government to whom the said provinces shall belong. His Majesty the King of Prussia, and his Majesty the King of Saxony, have established the following regulation, with regard to those debts which are to be liquidated by the provinces remaining in part to his Majesty the King of Saxony, as well as to those which belong to the kingdom in general.—The debts, for the liquidation of which certain revenues have been specially assigned (funded debts), either as to capital or interest, shall be distinguished from those for which no provision has been made. The former description of debts shall follow those revenues, so that the proportion in which such revenues fall under the dominion of one or other of the two governments, shall also be that in which they shall be divided between them. With regard to those debts, for the liquidation of which no certain revenues have been assigned (unfunded debts), the grounds upon which they have been contracted, shall likewise determine to which fund they ought to have been assigned; that is to say, what portion of the revenues should have been applied to the payment of interest and to the reimbursement of the capital. Prussia and Saxony shall contribute to their liquidation, according to the share they shall receive of these revenues. If, contrary to all expectation, a case should arise where it would be impossible to decide upon the exact fund to which a particular debt should have been assigned, it shall be understood, that out of the total amount of the revenues belonging to the province, establishment, institution, or fund, for the accommodation of which such debt shall have been contracted, the same shall be discharged; and it shall be at the charge of the two governments, in proportion to the part of those revenues which each of them may receive. The pledges to be withdrawn on the reimbursement of the capital for which they had been held as a security, shall return to the province, establishment, institution, or individual, to whom those pledges belonged. Those which are the property of a province divided between two powers, shall be shared according to the proportion which each part of such province may have contributed to the liquidation of the capital.—The principles above established concerning debts, shall likewise apply to credits.

ART. X. His Majesty the King of Prussia, and his Majesty the King of Saxony, acknowledging the necessity of punctually fulfilling the engagements entered into for the wants and service of the kingdom of Saxony, by the Commision styled "*Central Steuer Commission*," have agreed, that they shall be mutually guaranteed and fulfilled by the two Governments. An equal number of Commissioners shall, therefore, be appointed without delay on both sides, to liquidate these debts, to divide them according to the regulation established by the 9th Article, for public unfunded debts, and to settle the mode and period of their payment.—Each Government engages to provide means for the discharge of these debts; reserving, however, to themselves, reciprocally, to make these payments, either by arrears of taxes, and the felling of an extra quantity of timber, upon which these payments had been secured, or by other measures affording equal security, so that the periods of payment, in anticipation of which the arrears of taxes, and the felling of timber was given, shall be punctually observed. Should, however, the produce of these arrears, and of this timber, prove insufficient to make good these stipulated engagements, it is agreed, that such produce, as far as it concerns the Prussian territory, shall be appropriated, in the first instance, to the discharge of those payments, for which the Bank and Maritime Society of Prussia are responsible: if, in these payments, it shall be necessary to call upon Saxony to contribute towards their liquidation, and that, unexpectedly, the produce of the taxes and timber in that part of Saxony which is to provide for the same, should be insufficient to furnish the two above-mentioned establishments with the necessary sums, at the time of their becoming due, Prussia agrees to grant a delay for their payment till the fair of Leipsic, held on St. Michael's day of the present year. With regard to the other debts, towards the payment of which the produce of the taxes and the felling of timber is to be employed, his Majesty the King of Prussia, and his Majesty the King of Saxony, reserve to themselves, in the event of this produce being inadequate to the object in view, to enter into an arrangement, either by an amicable understanding with the creditors, or by prolonging the periods of payment, and facilitating the means of effecting them.

ART. XI. His Majesty the King of Prussia expressly acknowledges, that the paper circulated under the name of "*Cassenbillets*," shall form part of the debts of the country, which shall be divided according to the principles established by Art. IX. His Prussian Majesty promises, in consequence, to provide for the payment of that part which falls to his share; and being desirous, equally with his Majesty the King of Saxony, to adopt such measures as may tend, as much as possible, to the welfare of their respective subjects, they mutually engage to form such an arrangement, with regard to this paper, as shall establish its credit in both territories. With this view the two governments have agreed to establish a joint office for "*Cassenbillets*," which shall be open at least until the 1st of September of this year; and each government shall place at the disposal thereof, funds necessary for supporting the credit of this paper. They have also agreed that the regulations subsisting with regard to these "*Cassenbillets*," as to their acceptance at the public offices, and other places, shall be in force during the above period, as well in that part of the kingdom of Saxony ceded to Prussia, as in that which remains to his Majesty the King of Saxony; and no change shall be made therein, except by common consent.

ART. XII. His Majesty the King of Saxony having claims, either on account of revenues due from the circle of Cottbus, or on account of advances made to this circle, the commission established by Article XIV., shall take them into their special consideration, and apply to them the principles established in the present Treaty for the regulation of subjects of a similar nature.

ART. XIII. His Majesty the King of Prussia promises to settle whatever may regard the property and interests of the respective subjects upon the most liberal principles. The stipulations contained in the present Article shall particularly apply to the concerns of individuals retaining property under both the Prussian and Saxon governments; to the commerce of Leipsic, and to all matters of this description; and in order that the personal liberty of the inhabitants of the ceded and other provinces may not be affected, they shall be permitted to emigrate from one territory to the other; they being liable, however, to military service, and provided they conform themselves to the laws. They shall be allowed the privilege of removing their property without being subject to any exportation duty or drawback (*Abzugs Geld*).

ART. XIV. His Majesty the King of Prussia and his Majesty the King of Saxony, shall immediately appoint commissioners to determine, in an exact and detailed manner, the points which form the subject of this Act, from Articles VI. to XIII., and from XVI. to

XX. This commission shall assemble at Dresden, and their labours shall be completed at latest in three months, dating from the exchange of the ratifications of this Treaty.

ART. XV. His Majesty the Emperor of Austria having offered his mediation in every arrangement, between the Courts of Prussia and Saxony, rendered necessary in consequence of the territorial cessions stipulated in Art. II.; his Majesty the King of Saxony and his Majesty the King of Prussia accept this mediation, both in regard to the general and particular arrangements entrusted to the commissions mentioned in the 3d and 14th Articles.—His Imperial and Royal Apostolic Majesty engages, in consequence, to appoint without delay a commissioner, invested with full powers, to assist in the labours of the said commissions.

ART. XVI. The communities, corporations, and establishments both religious and of public instruction, existing in the provinces and districts ceded by his Majesty the King of Saxony to Prussia, or in the provinces and districts remaining to his Saxon Majesty, shall preserve their property, whatever changes their destination may undergo, as well as the rents belonging to them, according to their charter, or which they have acquired by a legal title, since that period, under the Prussian and Saxon Governments, and neither Power shall interfere in the administration or in the collection of the revenues; provided that they be conducted in a manner conformable to the laws, and that the charges be defrayed to which all property or rents of the like nature are subjected in the territory in which they are situated.

ART. XVII. The general principles which have been adopted at the Congress of Vienna for the free navigation of rivers shall serve as a guide to the commission appointed in virtue of the 14th Article, to regulate without delay, whatever relates to navigation; and shall be particularly applied to that of the Elbe, and floats of wood, and rafts of timber, as also to the waters known by the names of Elsterwerdaen, Flossgräben, the Schwarze-Elster and the Weisse-Elster; as well as to that of the Floss-Graben, which flows from this latter river.

ART. XVIII. His Majesty the King of Prussia, engages to fulfil the contracts made between the government and the farmers of Crown lands or land revenues, in the provinces and territories ceded in virtue of the 2nd Article, the leases of which are not yet expired.

ART. XIX. His Majesty the King of Prussia promises to furnish annually to the Saxon government, and the latter engages to receive 150,000 quintals of salt (the quintal calculated at 110 pounds market weight of Berlin) for a sum which, without augmenting the present price paid by Saxon subjects, shall secure to his Majesty the King of Saxony a duty as nearly equal as possible to that which he received on the sale of each quintal of salt, immediately previous to the last war. The Commission which shall assemble in virtue of Article XIV. shall regulate, according to this principle, the price of the quintal, as also the number of years during which it shall continue at that price; and at the expiration of such period, a new regulation shall be made by common consent, both with regard to the quantity and the price of the salt. The quantity of 150,000 quintals, sold yearly, may be increased, upon the demand of the Saxon Governments (of which demand, if the increase is to be 50,000 quintals, six months notice, at least, shall be given; if it shall exceed that quantity, a year's notice) to 250,000 quintals; which the Prussian government engages to furnish on the same conditions, as the *minimum* above mentioned. It is understood that, at the expiration of the period agreed upon, the *minimum* of 150,000 quintals shall not, under any circumstances, be reduced at the pleasure of either party, and that the principle established respecting the price, by the present Article shall again form the basis of the new regulation.—The salt which the Saxon government shall receive, in virtue of the present Article, shall be supplied from the salt-works of Durrenberg and Koesen; and in case the quantity above mentioned should not be procured from these salt-works, it shall be furnished from the Prussian salt-works nearest to the frontiers of Saxony.—No export duty shall be paid on the salt which the Prussian Government shall furnish to Saxony in virtue of this Article, on its conveyance from the works to the frontiers, nor shall any other duties whatever be paid thereon, except those levied at the barriers, bridges, canals, or locks, than are paid by Prussian subjects on the same route, and for the same modes of conveyance.

ART. XX. The exemption from export duties, referred to at the conclusion of the preceding Article, in respect to salt, shall be extended with the same modification, by the Prussian and Saxon governments respectively, to the exportation and importation from one territory to the other, of grain, of fuel, of every description, of timber, lime, slates, mill-stones, bricks, and stone of all kinds, whether these articles are purchased by subjects of the two governments, or by the governments themselves. His Majesty the King of Prussia, and his Majesty the King of Saxony, at the same time, mutually engage never to prohibit or interrupt the exportation of the said articles.

ART. XXI. No individual settled in the provinces which are under the dominion of his Majesty the King of Saxony, nor any one settled in those which, by the present Treaty, pass under the dominion of the King of Prussia, shall be molested in his person, property, rents, pensions, and revenues of any kind, nor in his rank and dignities; nor be prosecuted or called to account in any manner, for any part which he, either in a civil or military capacity, may have taken in the events that have occurred since the commencement of the war terminated by the peace signed at Paris on the 30th of May 1814. This Article equally extends to those who, not being domiciliated in either part of Saxony, may possess in it landed property, rents, pensions, or revenues of whatever description they may be.

ART. XXII. His Majesty the King of Saxony renounces for himself, his heirs and successors, as well as for the princes of his House, their heirs and successors, for ever, every claim arising from crown or other property, which might be derived from the possession of the duchy of Warsaw.—His Majesty recognizes the rights of sovereignty over that country, such as they are stipulated by the Treaty of Vienna, of the 21st April (3d May), of the present year, for the provinces which pass under the sceptre of his Majesty the Emperor of all the Russias, with the title of King of Poland; for those parts which revert to his Majesty the Emperor of Austria, on the right bank of the Vistula; as well as for the provinces to be possessed by his Majesty the King of Prussia, under the title of Grand Duchy of Posen.

ART. XXIII. His Majesty the King of Saxony engages, that the records, maps, plans, and all documents whatever belonging to the duchy of Warsaw, shall be faithfully restored. This restitution shall take place within six months from the day of the exchange of the ratifications of the present Treaty.

ART. XXIV. His Majesty the King of Saxony is released from all responsibility and charge whatever, with regard to the payment of debts contracted on account of the duchy of Warsaw, by consent of the ministry of Finance, or other public officers of that country; particularly from all obligations imposed upon him by the Convention of Bayonne, which is annulled, and from the loan obtained on the salt mines of Wieliezka.—With regard to the 2,550,193 florins, claimed as having been transferred from the treasury of Saxony into that of the duchy of Warsaw; as it is stipulated by the Treaty signed the 21st April (3d May), between Prussia, Austria, and Russia, that a Commission of liquidation, composed of Russian, Austrian, and Prussian Commissioners, should immediately assemble at Warsaw, and that the three Courts have invested this Commission with the necessary authority to enquire into the exterior and interior debt, and also their claims and charges against each other; the above claim shall be disposed of in the same manner. The claims on the part of Saxony, to that sum, shall undergo the same examination, and shall be submitted to the said Commission, to which his Majesty the King of Saxony shall be at liberty to send an accredited Commissioner on his part, who shall assist in their deliberations.

ART. XXV. The present Treaty shall be ratified, and the acts of ratification exchanged in three days, or sooner, if possible. In faith of which the respective Plenipotentiaries have signed it, and have affixed thereunto the seal of their arms. Done at Vienna, the 18th May 1815.

Signed (L. S.) *The Prince de Hardenberg.*
(L. S.) *The Baron de Humboldt.*
(L. S.) *The Count Schulenberg.*
(L. S.) *De Globig.*

ACT, No. V.—*Declaration of the King of Saxony, on the Rights of the House of Schönburg, of the 18th May* 1815.

His Majesty the King of Saxony, being willing to conform to the arrangements made by the Courts of Russia, Austria, France, Great Britain, and Prussia, relative to the House of Schönburg, as contained in the following Article, which forms the 33d of those Articles that have been communicated to his said Majesty at Presbourg, viz.:

"ARTICLE. The High Contracting Parties, in expressly reserving to the House of the Princes of Schönburg the rights which shall in future belong to that family, in consequence of the rank it holds in the Germanic Confederation, confirm and guarantee to them, respectively, in regard to their possessions in the kingdom of Saxony, all the prerogatives which the Royal House of Saxony has recognized in the recess of the 4th of May 1740, concluded between Saxony and the House of Schönburg;"

Declares, 1. That he engages to the five Powers above-mentioned, to acknowledge the advantages and rights which shall be secured, in the Germanic League, to the Princes and Counts of Schönburg; which shall, however, not affect the rights which the Court of Saxony exercises over the possessions of the said House. 2. His Majesty the King of Saxony engages also to the five Powers, for himself and his successors, to fulfil, and to cause to be fulfilled, for ever, and in their full extent, the stipulations contained in the recess of the 4th May 1740.—The present Declaration shall have the same force and validity as if it had been inserted in the Treaty concluded this day between his said Majesty and their Majesties the Emperor of Austria, the Emperor of Russia, and the King of Prussia. Done at Vienna, the 18th May 1815.

Signed (L. S.) *The Count Schulenburg.*
(L. S.) *De Globig.*

Act of Acceptation.

The undersigned Plenipotentiaries of Austria, Russia, France, Great Britain, and Prussia, formally accept, on the part of their respective Courts, the above Declaration, made in the name of his Majesty the King of Saxony; to the end that the engagements therein contained, shall have the same force as if they had been textually inserted in the Treaty concluded on the 18th of May, between the above Courts and his Majesty the King of Saxony. Done at Vienna, the 29th May 1815.

Signed (L. S.) *The Prince de Metternich.*
(L. S.) *The Prince de Talleyrand.*
(L. S.) *The Prince de Hardenberg.*
(L. S.) *Clancarty.*
(L. S.) *The Prince de Rasoumoffsky.*

ACT, No. VI.—*Treaty between Prussia and Hanover, of the 29th May* 1815.

In the Name of the Most Holy and Undivided Trinity.

His Majesty the King of Prussia, and his Majesty the King of the United Kingdom of Great Britain and Ireland, King of Hanover, desiring to comprise, in a particular Treaty, the dispositions contained in the Protocols signed the 13th and 21st of February 1815, of the Committee of Plenipotentiaries of England, Austria, Russia, Prussia, and France, in order to carry into effect the stipulations of the Treaty concluded at Reichenbach, on the 14th June 1813, and to fulfil the territorial arrangements consequent upon the engagement therein contained on the part of his Prussian Majesty, the two sovereigns have named Plenipotentiaries, to concert, agree upon, and sign whatever relates to this subject; viz.: His Majesty the King of Prussia, the Prince Hardenberg, his Chancellor of State, Knight of the Grand Orders of the Black Eagle, and of the Red Eagle, Knight of the Order of St. John of Jerusalem, and of the Iron Cross of Prussia; Knight of the Orders of St. Andrew, of St. Alexander Newsky, and of St. Anne of Russia, of the First Class; Grand Cross of the Royal Order of St. Stephen of Hungary; Grand Cordon of the Legion of Honour, Grand Cross of the Order of St. Charles of Spain; of St. Hubert of Bavaria; of the Supreme Order of the Annunciation of Sardinia; Knight of the Order of the Seraphim of Sweden; of the Elephant of Denmark; of the Golden Eagle of Wurtemberg, and of several others; his First Plenipotentiary at the Congress; and the Sieur Charles William Baron de Humboldt, his said Majesty's Minister of State, his Chamberlain, Envoy Extraordinary, and Minister Plenipotentiary to his Imperial and Royal Apostolic Majesty; Knight of the Grand Order of the Red Eagle, of the Order of the Iron Cross of Prussia, and of St. Anne of the First Class of Russia; his Second Plenipotentiary at the Congress of Vienna. And his Majesty the King of the United Kingdom of Great Britain and Ireland, King of Hanover, the Sieur Ernest Frederic Herbert, Count Munster, Hereditary Grand Marshal of the Kingdom; Grand Cross of the Royal Order of St. Stephen, his Minister of State and of the Cabinet, and his Minister Plenipotentiary at the Congress of Vienna; and the Sieur Ernest Christian George Augustus Count de Hardenberg, Grand Cross of the Order of Leopold of Austria; and of the Red Eagle of Prussia; Knight of the Order of St. John of Jerusalem; his Minister of State and of the Cabinet, his Envoy Extraordinary and Minister Plenipotentiary at the Congress of Vienna; who, after having exchanged their full powers, found in good and proper form, have agreed to the following Articles:

ART. I. His Majesty the King of Prussia cedes to his Majesty the King of the United Kingdom of Great Britain and Ireland, King of Hanover, to be possessed by his Majesty and his successors, in full property and sovereignty; 1. The principality of Hildesheim, which shall pass under the government of his Majesty, with all the rights and all the charges with which the said principality passed under the Prussian government. 2. The town and territory of Goslar. 3. The principality of East Frieseland, including the country called Harlinger-Land, under the conditions reciprocally stipulated in the 5th Article for the navigation of the Ems, and the trade with the port of Embden. The states of the principality shall preserve their rights and privileges. 4. The lower county *(Nieder Grafschaft)* of Lingen, and the part of the principality of Prussian Munster which is situated between that county and the part of Rheina Wolbeck possessed by the Hanoverian government; but as the two High Contracting Parties have agreed that the kingdom of Hanover shall obtain by this cession an increase of territory containing a population of 22,000 souls, and, as the lower county of Lingen and the part of the principality of Munster above-mentioned, might not fulfil this condition, his Majesty the King of Prussia agrees to extend the line of demarcation in the principality of Munster, as far as shall be necessary to comprise the said population. The Commission, which shall be immediately appointed by the Prussian and Hanoverian governments, to proceed to the exact determination of the limits, shall be particularly charged with the execution of this arrangement. His Prussian Majesty renounces in perpetuity, for himself, his descendants and successors, all the provinces and territories mentioned in the present Article, as well as all the rights which relate to them.

ART. II. His Majesty the King of Prussia renounces for himself, his heirs and successors, for ever, all right and title, of every description, which his Majesty, as sovereign of Eichsfeld, might advance to the Chapter of St. Peter, in the borough of Norten, or to its dependencies, situated in the Hanoverian territory.

ART. III. His Majesty the King of Prussia engages, in consideration of certain indemnities to be taken out of the mass of the countries secured to him by the arrangements of the Congress of Vienna, to induce; 1. His Royal Highness the Elector of Hesse to cede to his Majesty the King of the United Kingdom of Great Britain and Ireland, King of Hanover, to be possessed by him and his successors, in full sovereignty and property, the three bailiwicks of Uechte, Freudenberg and Aubourg, otherwise called Wagenfeld, with the districts and territories dependent thereon, as well as that part which his Royal Highness possesses of the county of Schaumbourg and the lordships of Plessen and Neuengleichen. 2. His Serene Highness the Landgrave of Hesse Rothenburg, to renounce for ever the rights which he possesses in the said lordship of Plessen, in order that these rights may be transferred to his Britannic Majesty, King of Hanover. As the cession on the part of his Royal Highness the Elector of Hesse and the renunciation of the Landgrave of Hesse Rothenburg, above-mentioned, have not been obtained within the three months prescribed by the 40th Article of the Protocol of the 13th of February; and as the reciprocal cessions ought to have been effected pursuant to that Article, with the reservation, that whilst Prussia continued in possession of the territory destined as a compensation to the Elector of Hesse and the Landgrave of Rothenburg, Hanover should retain, on her part, that portion of the duchy of Lauenburg which has been made over to his Prussian Majesty, in virtue of the 4th Article; this arrangement shall continue in force until Hanover shall have actually acquired the cessions and renunciations on the part of Hesse, and until the governments of Prussia and Hanover, shall have agreed upon indemnities to be given to the latter for the diminution which would result from the loss of the territories comprised in the said cession and renunciation; indemnities, which shall be provided out of the country of Eichsfeld, and of the Prussian part of the county of Hohenstein.—His Prussian Majesty and his Royal Highness the Prince Regent of Great Britain and Hanover, having already consented to the other cessions to be made in virtue of the stipulations contained in the Protocol of the 13th February 1815, the two High Contracting Parties will give the necessary orders that these cessions may be completed in eight weeks from the date of the signature of the present Treaty.

ART. IV. His Majesty the King of the United Kingdom of Great Britain and Ireland, King of Hanover, cedes to his Majesty the King of Prussia, to be possessed by him and his successors, in full property and sovereignty; 1. That part of the duchy of Lauenburg situated upon the right bank of the Elbe, with the villages of Luneburg situated upon the same bank. That part of the duchy upon the left bank, remains to the kingdom of Hanover. The states of that part of the duchy which passes under the Prussian government shall preserve their rights and privileges; especially those founded on the provincial recess of the 15th of September 1702, confirmed by his Majesty the King of Great Britain, now reigning, under date of the 21st June 1765. 2. The bailiwick of Klötze; 3. The bailiwick of Elbingerode; 4. The villages of Rudegershagen and Gœnseteich; 5. The bailiwick of Reckeberg. His Britannic Majesty, King of Hanover, renounces for himself, his heirs and successors, for ever, the provinces and districts specified in the present Article, and all the rights which belong to them.

ART. V. His Majesty the King of Prussia, and his Britannic Majesty, King of Hanover, animated with the desire of rendering the advantages of the commerce of the Ems and of the Port of Embden, entirely equal and common to their respective subjects, have determined upon the following arrangements: 1. The Hanoverian government engages for the erection, at its expense, in the years 1815 and 1816, of the works which a Commission, composed of professional men of both governments, to be immediately appointed by Prussia and Hanover, shall deem necessary to render that part of the river of Ems navigable, which extends from the confines of Prussia to its mouth, and to keep that part of the river constantly in the state in which those works shall have placed it, for the benefit of navigation. 2. Prussian subjects shall have the liberty of importing and exporting, by the port of Embden, all kinds of commodities, productions, and goods whatever, whether natural or artificial, and to have warehouses in the town of Embden, wherein to place the said goods for two years, dating from their arrival in the town, without their being subject to any other inspection than that to which those of Hanoverian subjects are liable. 3. Prussian vessels, and merchants of the same nation, shall not pay for navigation, for the export or import of merchandize, or for warehousing, any other tolls or duties than those charged upon Hanoverian subjects. These tolls and duties shall be regulated by agreement between Prussia and Hanover, and no alteration shall be introduced into the tarif, hereafter, but by mutual consent. The privileges and liberties herein specified extend equally to Hanoverian subjects who navigate that part of the river Ems which remains to his Prussian Majesty. 4. Prussian subjects shall not be compelled to employ the merchants of Embden, for the trade which they carry on with that port; they shall be at liberty to dispose of their commodities, either to inhabitants of the town, or to foreigners, without paying any other duties than those to which Hanoverian subjects are liable, and which cannot be raised but by mutual consent.—His Majesty the King of Prussia, on his part, engages to grant to Hanoverian subjects the free navigation of the Stecknitz canal, so as not to exact from them any other duties than those which shall be paid by the inhabitants of the duchy of Lauenburg. His Prussian Majesty engages, besides, to insure these advantages to Hanoverian subjects, even if he should hereafter cede the duchy of Lauenburg to any other sovereign.

ART. VI. His Majesty the King of Prussia and his Majesty the King of the United Kingdom of Great Britain and Ireland, King of Hanover, mutually agree to three military roads through their respective states, viz.: 1st. One from Halberstadt, through the country of Hildesheim, to Minden. 2d. A second from the Old March, through Gifhorn and Neustadt, to Minden. 3d, A third from Osnabruck, through Ippenbüren and Rheina, to Bentheim. The two first in favour of Prussia, and the third in favour of Hanover. The two governments shall appoint a Commission, without delay, to prepare, by common consent, the necessary regulations for the said roads.

ART. VII. The military, in the active service of the two High Contracting Powers, natives of the countries ceded by one Power to the other in virtue of the present Convention, shall be sent home in one year from the exchange of the ratifications of the present Convention. Officers of every rank may have the option of continuing in the service to which they are at present attached.—The pensions allowed to different ranks of military, shall continue to be paid by the Powers who have granted them.

ART. VIII. The High Contracting Parties reciprocally engage to restore to each other the title-deeds of Crown lands, and the documents and papers which relate to provinces and districts mutually ceded, within two months from the day of the restitution of each of the said provinces or districts. The same rule shall be observed with respect to the plans and maps of the towns and countries above-mentioned.

ART. IX. In all the countries ceded or exchanged in pursuance of the present Convention, the new possessor shall be responsible for all the debts, specially mortgaged upon the said countries, as well as for those contracted for the expenses incurred in the actual improvement of these countries.—The debts constitutionally contracted in the name of the country, particularly those in the duchy of Lauenburg since 1798; for the expenses of forming the line of frontier, and those occasioned by the occupation of the French; shall be acknowledged as debts of the country, and the mode of effecting the speedy and punctual reimbursement of the capital and interest, shall be settled, with the concurrence of the provincial states.

ART. X. The bailiwick of Meppen, belonging to the Duke of Aremberg, as well as the part of Rheina Wolbeck which belongs to the Duke of Looz-Corswaren, which are now provisionally occupied by the Hanoverian government, shall be placed in the situation, with respect to the kingdom of Hanover, which the Federative Constitution of Germany shall settle for the mediatised territories.—The Prussian and Hanoverian governments having nevertheless reserved to themselves, by Article XLIII. of the said Protocol of the 13th of February, to agree hereafter, if necessary, upon the fixing of another line of frontier with regard to the county belonging to the Duke of Looz-Corswaren; the said governments will instruct the Commission, which they may name for settling the limits of that part of the county of Lingen ceded to Hanover, to deliberate thereupon, and to adjust definitively the frontiers of that part of the county belonging to the Duke of Looz-Corswaren, which, as aforesaid, is to be possessed by the Hanoverian government.—The relations between the Hanoverian government and the county of Bentheim shall remain as settled by the mortgage Treaties existing between his Britannic Majesty and Count Bentheim; and when the rights derived by Treaty shall have expired, the relations of the county of Bentheim towards the kingdom of Hanover shall be such as the Federative Constitution of Germany shall determine for the mediatised territories.

ART. XI. His Majesty the King of Prussia, desiring to make certain exchanges of territory with his Serene Highness the Duke of Brunswick, for the consolidation of their respective territories; his Majesty the King of the United Kingdom of Great Britain and Ireland, King of Hanover, engages to use his best endeavours in inducing his Serene Highness to consent to these arrangements; and to facilitate the same, he consents beforehand to any cessions of territory which the two Parties may agree upon. The present Article refers particularly to Calvoerde and Walkenried, without being absolutely restricted to these two places.

ART. XII. His Britannic Majesty, King of Hanover, with a view to acceding to his Prussian Majesty's wish, that a suitable accession of territory should be provided for his Serene Highness the Duke of Oldenburg, promises to cede to him a district containing a population of 5,000 inhabitants.

ART. XIII. The present Treaty shall be ratified, and the ratifications exchanged within four weeks, or sooner, if possible. In faith of which the respective Plenipotentiaries have signed it, and have affixed thereunto the seal of their arms. Done at Vienna the 29th May 1815.

Signed (L. S.) *The Prince de Hardenberg.*
(L. S.) *The Baron de Humboldt.*
(L. S.) *The Count Munster.*
(L. S.) *The Count Hardenberg.*

ACT, No. VII.—*Convention between Prussia and the Grand Duke of Saxe-Weimer, of the* 1st *June* 1815.

In the name of the Most Holy and Undivided Trinity.

His Majesty the King of Prussia being desirous of carrying into effect the arrangements agreed upon at the Congress of Vienna, in favour of his Royal Highness the Grand Duke of Saxe-Weimar, and which his Prussian Majesty has engaged to fulfil; and his Majesty, as well as his Royal Highness the Grand Duke, having resolved to conclude a particular Treaty for this purpose, the two sovereigns have named Plenipotentiaries to concert, agree upon, and sign, whatever relates to this subject, viz.; His Majesty the King of Prussia, the Prince Hardenberg, his Chancellor of State, Knight of the Grand Orders of the Black Eagle and the Red Eagle, of the Order of St. John of Jerusalem, and of the Iron Cross of Prussia; of the Orders of St. Andrew, of St. Alexander Newsky, and of St. Anne of Russia of the First Class; Grand Cross of the Royal Order of St. Stephen of Hungary, Grand Cordon of the Legion of Honour, Grand Cross of the Order of St. Charles of Spain, of St. Hubert of Bavaria, of the Supreme Order of the Annunciation of Sardinia, Knight of the Order of the Seraphim of Sweden, of the Elephant of Denmark, of the Golden Eagle of Wurtemburg, and of several others, his First Plenipotentiary at the Congress of Vienna; and the Sieur Charles William, Baron Humboldt; his Minister of State, Chamberlain, and Envoy Extraordinary and Minister Plenipotentiary to his Imperial and Royal Apostolic Majesty, Knight of the Grand Order of the Red Eagle, of the Iron Cross of Prussia, and of the Order of St. Anne of Russia of the First Class; his Second Plenipotentiary at the Congress of Vienna; and his Royal Highness the Grand Duke of Saxe-Weimar, the Sieur Ernest Augustus, Baron de Gersdorff, his Privy Counsellor; who, after having exchanged their full powers, found in good and due form, have agreed to the following Articles:

ART. I. His Majesty the King of Prussia engages to cede to his Royal Highness the Grand Duke of Saxe-Weimar, from the mass of his states, as they have been fixed and recognised by the stipulations of the Congress of Vienna, certain districts, containing a population of 50,000 inhabitants, either contiguous to, or bordering upon the principality of Weimar. His Prussian Majesty engages also to cede to his Royal Highness, in that part of the principality of Fulda which has been given up to him in virtue of the same stipulations, districts containing a population of 27,000 inhabitants. His Royal Highness the Grand Duke of Weimar shall possess the above districts in full sovereignty and property, and shall unite them, in perpetuity, to his present states.

ART. II. The districts and territories which are to be ceded to his Royal Highness the Grand Duke of Saxe-Weimar, in virtue of the preceding Article, shall be determined by a particular Convention; and his Majesty the King of Prussia engages to conclude this Convention, and to cause the above districts and territories to be given up to his Royal Highness, within two months from the date of the exchange of the ratifications of the present Treaty.

ART. III. In order, however, to meet the wishes of his Royal Highness the Grand Duke of Saxe-Weimar, his Majesty the King of Prussia cedes immediately, and promises to give up to his Royal Highness, in the space of a fortnight, reckoning from the signature of the present Treaty, the following districts and territories, viz.: The lordship of Blankenhayn; with the understanding, however, that the bailiwick of Wandersleben, belonging to Unter-Gleichen, shall not be comprised in this cession. The lower lordship (*Niedere-Herrschaft*) of Kranickfeld, the commanderies of the Teutonic Order, Zwaetzen, Lehesten, and Liebstädt, with their demesnial revenues, which, constituting part of the bailiwick of Eckartsberga, form *enclaves* in the territory of Saxe-Weimar, as well as all the other territories lying within the principality of Weimar, and belonging to the said bailiwick. The bailiwick of Tautenbourg, with the exception of Droizen, Görschen, Wethaburg, Wetterscheid, and Möllschütz, which shall remain to Prussia. The village of Ramssla, as well as the villages of Klein-Brembach and Berlstedt, lying within the principality of Weimar and belonging to the territory of Erfurth. The property of the villages of Bisschoffsroda and Probsteizalla, lying within the territory of Eisenach, the sovereignty of which already belongs to his Royal Highness the Grand Duke. The population of these different districts is understood to form part of that of 50,000 souls, secured to his Royal Highness the Grand Duke by the 1st Article, and shall be deducted from it.

ART. IV. All additional arrangements to be made, in virtue of the cessions stipulated in the 3d Article, relative to debts, records, public funds, and other objects of a similar nature, shall form part of the particular Convention mentioned in the 2d Article. His Royal Highness the Grand Duke specially engages, on obtaining possession of the principality of Fulda, according to the extent of the possessions which shall belong to him, to fulfil the engagements which will be required of the new possessors of the former Grand Duchy of Frankfort.

ART. V. The present Treaty shall be ratified, and the ratifications exchanged in four weeks. In faith of which, the undersigned Plenipotentiaries have signed it, and have affixed thereunto the seal of their arms.

Signed. (L. S.) *The Prince de Hardenberg.*
(L. S.) *The Baron de Humboldt.*
(L. S.) *The Baron de Gersdorff.*

ACT, No. VIII.—*Convention between Prussia and the Duke and Prince of Nassau, of 31st May* 1815.

The hereditary possessions of the House of Orange having been transferred as an indemnity to his Majesty the King Prussia, in virtue of the stipulations agreed upon between the powers assembled at the Congress of Vienna, and a territorial arrangement with their Serene Highnesses the Duke and Prince of Nassau, having been expressly reserved, his Majesty the King of Prussia has appointed as his Plenipotentiary to conclude such arrangement, viz. the Prince Hardenberg, his Chancellor of State, Knight of the Grand Orders of the Black Eagle and of the Red Eagle, of the Order of St. John of Jerusalem, and of the Iron Cross of Prussia; of the Order of St. Andrew, of St. Alexander Newsky, and of St. Anne of Russia, of the First Class; Grand Cross of the Royal Order of St. Stephen of Hungary; Grand Cordon of the Legion of Honour; Grand Cross of the Order of St. Charles of Spain; of the Supreme Order of the Annunciation of Sardinia; Knight of the Order of the Seraphim of Sweden, of the Order of the Elephant of Denmark, of St. Hubert of Bavaria, of the Golden Eagle of Würtemberg, and of several others; his First Plenipotentiary at the Congress of Vienna. And their Serene Highnesses the Duke and Prince of Nassau, Ernest Francis Louis Marschal de Bieberstein, Grand Cross of the Order of Fidelity of Baden, and their Principal Minister of State and Plenipotentiary at the Congress; who, after having exchanged their full powers, have agreed on the following Articles:

ART. I. Their Serene Highnesses the Duke and Prince of Nassau, cede to his Majesty the King of Prussia, in full sovereignty and property, the bailiwicks, parishes, and places hereafter mentioned: 1. The bailiwick of Linz. 2. The bailiwick of Altenwied. 3. The bailiwick of Schoeneberg. 4. The bailiwick of Altenkirchen. 5. The parish of Stamm, formerly composing part of the bailiwick of Hackenburg. 6. The bailiwick of Schoenstein. 7. That of Freusberg. 8. That of Friedewald. 9. That of Dierdorff. 10. The detached part of the bailiwick of Hersbach, bordering on Altenkirchen. 11. The bailiwick of Neuerberg. 12. That of Hamsstein, together with Irlich and Engers. 13. The bailiwick of Heddesdorf. 14. The town of Neuwied. 15. The communes of Gladbach, Heimbach, Weiss, Sayn, Mühlhofen, Bendorf, Weitersburg, Vallendar, and Mallendar, forming part of the bailiwick of Vallendar. 16. The communes of Nieder-Werth, Niederberg, Urbar, Immendorf, Neudorff, Ahrenberg, Ehrenbreitstein, together with the mills of Arzheim, Pfaffendorf and Horchheim, forming part of the bailiwick of Ehrenbreitstein. 17. The bailiwick of Braunfels. 18. That of Greifenstein. 19. That of Hohensolms.

ART. II. His Majesty the King of Prussia, on his part, cedes to their Serene Highnesses the Duke and Prince of Nassau, with all the rights of sovereignty and property thereunto belonging; 1. The three principalities formerly possessed by the House of Nassau-Orange, viz. Diez, Hadamar, and Dillenbourg, including the lordship of Beilstein; excepting, however, the bailiwicks of Burbach and Neunkirchen. 2. A part of the Principality of Siegen, and of the bailiwicks of Burbach and Neunkirchen, containing a population of 12,000 inhabitants, and composed of communes contiguous to the principality of Dillenbourg. 3. Lastly, the lordships of Westerburg and Schadeck, and that part of the bailiwick of Runkel which belonged to the former Grand Duchy of Berg.

ART. III. The part of the principality of Siegen, and of the bailiwicks of Burbach and Neunkirchen, which is to be ceded in virtue of the above Articles, shall be determined by Commissioners, to be appointed by the two High Contracting parties, with as little delay as possible, and, at furthest, within four weeks after the ratification of the present Treaty; but, at all events, previously to the taking possession of the provinces belonging to the House of Nassau-Orange. The Commissioners shall conform to the principle of the contiguity of these portions with the respective territories; and they shall take especial care that the relations with regard to communes, to the church, and to industry, as they at present exist, shall be maintained. Under the relations of industry, are specially included those which relate to the working of mines. In the event of these Commissioners not agreeing, upon one or other of these points, they are authorized to refer to an Arbitrator, of their own appointment, whose decision shall be final.

ART. IV. The bailiwicks and portions of territory to be reciprocally ceded, in conformity to the 1st, 2d, and 3d Articles, shall be transferred to the future possessor, with all the precincts of the communes belonging thereto, together with all the public and demesnial property contained in these territories, under whatever denomination they may have been held, or whatever be the title by which they may have been acquired. Neither party shall possess *enclaves* in the territory of the other, and particularly the abbeys of Bomersdorf, Sayn, Niederwerth, and Besselick, situated in the communes ceded by Art. I. shall be comprehended in the Prussian territory, with all their property inclosed within the Prussian limits. The two Contracting Parties renounce reciprocally, in behalf of each other, all revenues, rights of *suzeraineté*, feudal, or other rights, of whatever description, which might have belonged to one party in the territory of the other. The utensils of the mint of Ehrenbreitstein, the furniture in the castle of Engers, and the yachts belonging to their Serene Highnesses the Duke and Prince of Nassau, are reserved to them, to be taken away in three months from the date of the ratification of the present Treaty.

ART. V. In order to insure and complete the fortifications and defence of the ancient fortress of Ehrenbreitstein, situated in the territory ceded by the House of Nassau; in case it should be considered expedient to re-establish it, it is agreed, that Prussia shall, in general, be at liberty to erect military works wherever it may be thought proper, at the distance of 1,500 Rhenish yards *(Rheinlandische ruthen)* from the fortress, even in those communes which may remain under the sovereignty of the House of Nassau, an indemnity being, however, given to the landowners, and without prejudice to territorial relations.

ART. VI. In order that the cessions agreed upon in Article I. may not prove detrimental to the commerce of the Duchy of Nassau, it is agreed, that the import and export trade on the Rhine, by roads leading to that river, through Ehrenbreitstein and Vallendar, shall not experience any obstacle, in respect to the inhabitants of that Duchy, nor be subjected to any new charges.

ART. VII. With respect to arrears of revenues, and the surplus of the public chests, the same principles shall be acted upon as have been adopted, and are now observed, in regard to similar objects towards his Majesty the King of the Netherlands, in those proportions of territory which have been transferred to his said Majesty by his Majesty the King of Prussia.

ART. VIII. With regard to debts belonging to the ceded portions of territory, it is agreed; A. That the private debts of the communes, parishes, bailiwicks, districts, or provinces, shall be transferred, with these communes, parishes, bailiwicks, districts, and provinces, to their future possessor, and shall continue to belong to them. When the bailiwicks, districts, or provinces, shall have been divided, the debts of these bailiwicks, districts, or provinces, respectively, shall be shared between the two governments, in the proportion in which the ceded parts have hitherto contributed to the payment of interest and the reimbursement of the capital; or, if this proportion cannot be settled, in that in which these countries have in general contributed to the ordinary expenses.—B. The debts of the public chests and chamber of finance, of the Duchy of Nassau, such as their amount was ascertained to be on the 31st December 1814, shall be divided between the two parties, in the proportion of the net revenues which the ceded territories have annually paid into the central state chests and the chamber of finance, taking for average the five years immediately preceding 1812, adding thereto, however, the net revenue of the bailiwick of Runkel, in the year 1814.—C. The State debts, and those of the chamber of finance, of the Princes of Nassau-Orange, shall be divided between the two Contracting Parties, in the proportion, and according to the period already agreed upon, taking as the average the net revenues of the chamber of Nassau-Orange, in the five years from 1801 to 1805, and adding to each of these years the net revenues of the lordships of Westerburg and Schadeck, such as they were in 1814.—D. The debts of Nassau-Saarbruck, with which the State chest of the Duchy of Nassau may yet be burthened, are not comprised in this distribution, but shall remain exclusively at the charge of the House of the Duke and Prince of Nassau.

ART. IX. The pensions which have been granted for services rendered to a particular part of territory, or which are charged upon secularized property lying in one of those parts; in a word, all pensions which, according to the nature of their origin, belonging to any territory in particular, shall be paid by the party possessing the property upon which they were originally assigned. The pensions granted to the army shall be paid by the government possessing the territory where the pensioner was born. All other pensions, which do not come under this head, shall be divided in proportion to the revenues, in the manner which has been settled for public debts. Annuities shall be provided for in the same manner as debts, and paid, either wholly or in part, by the two governments, according as different parts of a territory, or a whole country, are burthened with them.

ART. X. The local functionaries, and other persons in office, shall go with the territories ceded in the divided bailiwicks; the government to whom the place of their actual residence may pass, shall accept their services. All central and provincial functionaries employed in the administrations of Wiesbaden, Weilburg, Diez, and Dillenbourg, shall either continue with, or be transferred to the House of Nassau. Prussia shall take charge of those of Ehrenbreitstein. The central functionaries who cannot continue in the service of either of the two governments, or who shall be allowed to retire, by either party, in three months from the date of the present Convention, shall receive the pensions or superannuations fixed by the Edict of the Duke and Prince of Nassau, of the 3d and 6th December 1811. These pensions shall be paid by the two governments, according to the rate agreed upon with respect to debts. No public officer who is to be provided for by either government, shall be placed upon a less favourable footing than that fixed in the said Edict.

ART. XI. All military persons, natives of the territories reciprocally ceded, not holding the rank of an officer, shall, after the conclusion of the approaching campaign, be sent to the military authorities of the government to whom the place of their nativity shall belong: until that period, they shall continue in the service in which they are at present. Officers shall not be prevented, by the government to whom the place of their nativity shall remain, or be transferred, from having the option of continuing in the service of the other government.

ART. XII. Persons condemned to prisons, or houses of correction, and insane persons confined in hospitals, shall be sent to the respective governments to whom the places of their nativity belong.

ART. XIII. The archives and collections of papers, shall be given up, according to the partition of the territories, and each government shall be put in possession of the deeds and instruments which relate to that portion which is ceded to it.

ART. XIV. Prussia undertakes to fulfil the engagements entered into by the Ducal House of Nassau, relative to the post of Taxis, as far as these engagements attach to those parts of the territory which are ceded to that power.

ART. XV. The high road from Giessen to Ehrenbreitstein, which crosses the country of Nassau, shall be made a military road for Prussia, to establish a communication between Erfurth and Coblentz. Whatever has been agreed upon with respect to the military roads belonging to Prussia, which pass through the states of the King of Hanover and the Elector of Hesse, shall be applicable to the said road from Giessen to Ehrenbreitstein.

ART. XVI. In order to settle definitively all such points as require ulterior arrangement, especially such as relate to debts, pensions, public functionaries, and other persons in office, the two governments shall appoint Commissioners, immediately after the ratifications of the present Treaty, who shall assemble at Wiesbaden, for the purpose of settling all such arrangements with as little delay as possible. They shall be empowered to take such measures as may be necessary, in order that the payment of the interest of public debts, and that of pensions, may not experience any interruption, that the public credit may not be shaken, and that the business of the public offices may be conducted as heretofore.

ART. XVII. As the Convention concluded the 31st May, between their Majesties the King of Prussia and of the Netherlands, relative to mutual cessions of territory, contains an Article, worded as follows: "A commission shall be named, without delay, by his Majesty the King of Prussia and his Majesty the King of the Netherlands, to determine all matters that relate to the cession of his Majesty's Nassau possessions, with regard to archives, debts, excesses of public chests, and other objects of the same nature. Such part of the archives as concern the House of Orange, and have no relation to the ceded countries, and all the private and personal property of his Majesty the King of the Netherlands, his library, collections of maps, and other similar objects, shall be retained by his Majesty, and be delivered up to him immediately. A part of the said possessions having been exchanged against possessions of the Duke and Prince of Nassau, his Majesty the King of Prussia engages, and his Majesty the King of the Netherlands consents, to transfer the engagement stipulated by the present Article to their Serene Highnesses the Duke and Prince of Nassau, as far as regards that part of the said possessions which shall be united to their States." Their Serene Highnesses the Duke and Prince of Nassau engage to fulfil, in the name and place of his Majesty the King of Prussia, the engagements he has contracted on their account, as far as these engagements concern the territories and portions of territory belonging to the House of Nassau-Orange which, by the present Treaty, are ceded to them.

ART. XVIII. The ratifications of this Convention shall be exchanged in four weeks, or sooner, if possible. The ceded subjects shall be at once released from the oaths of fidelity which bound them to their former Sovereigns. In faith of which the respective Plenipotentiaries have signed the present Convention, and have caused to be affixed thereunto the seal of their arms. Done at Vienna the 31st May 1815.

Signed (L. S.) *The Prince de Hardenberg.*
(L. S.) *Marschall de Bieberstein.*

ACT, No IX. — *Federative Constitution of Germany, of the 8th June 1815.*

In the name of the Most Holy and Undivided Trinity.

The Sovereign Princes and free towns of Germany, animated with the mutual desire of carrying into effect the 6th Article of the Treaty of Paris of the 30th May 1814, and convinced of the advantages which will result to the safety and independence of Germany, and to the equilibrium of Europe, from their solid and lasting union, have agreed to form a perpetual Confederation, and have for this purpose invested with their full powers their Envoys and Deputies at the Congress of Vienna, viz.

His Imperial and Royal Apostolic Majesty, the Sieur Clement Wenceslas, Prince of Metternich Winnebourg Ochsenhausen, Knight of the Golden Fleece, Grand Cross of the Royal Order of St. Stephen of Hungary, Knight of the Order of St. Andrew, of St. Alexander Newsky, and of St. Anne of the First Class, Grand Cordon of the Legion of Honour, Knight of the Order of the Elephant, of the Supreme Order of the Annunciation, of the Black Eagle and of the Red Eagle, of the Seraphim, of St. Joseph of Tuscany, of St.

Hubert, of the Golden Eagle of Wurtemburg, of Fidelity of Baden, of St. John of Jerusalem, and of several others; Chancellor of the Military Order of Maria Theresa, Curator of the Academy of the Fine Arts, Chamberlain, Privy Counsellor of his Majesty the Emperor of Austria, King of Hungary and Bohemia, his Minister of State, of Conferences, and of Foreign Affairs; his First Plenipotentiary at the Congress; and the Sieur John Philip, Baron Wessenberg, Grand Cross of the Royal Sardinian Order of St. Mauritius and St. Lazarus, and of the Royal Order of the Crown of Bavaria, Chamberlain, and Privy Counsellor of his Imperial and Royal Apostolic Majesty, his Second Plenipotentiary at the Congress:

His Majesty the King of Prussia, the Prince Hardenberg, his Chancellor of State, Knight of the Order of the Black Eagle, of the Red Eagle, of St. John of Jerusalem and of the Iron Cross of Prussia, of the order of St. Andrew, of St. Alexander Newsky, and of St. Anne of Russia of the First Class, Grand Cross of the Royal Order of St. Stephen of Hungary, Grand Eagle of the Legion of Honour, Knight of the Order of St. Charles of Spain, of the Annunciation of Sardinia, of the Order of the Seraphim of Sweden, of the Elephant of Denmark, of St. Hubert of Bavaria, of the Golden Eagle of Wurtemburg, and of several others; and the Sieur Charles William, Baron Humboldt, Minister of State of his said Majesty, Chamberlain, Envoy Extraordinary and Minister Plenipotentiary to his Imperial and Royal Apostolic Majesty, Knight of the Order of the Red Eagle, of the Iron Cross of Prussia of the First Class; Grand Cross of the Imperial Order of Leopold of Austria, and of St. Anne of Russia of the First Class; of the Order of Merit, and of the Crown of Bavaria.

His Majesty the King of Denmark, the Sieur Günther, Count de Bernstorf, his Privy Counsellor of Conferences, Ambassador Extraordinary and Minister Plenipotentiary to the Court of his Imperial and Royal Apostolic Majesty, and his Plenipotentiary at the Congress; Knight of the Order of the Elephant, Grand Cross of the Order of Dannebrog, and of the Royal Order of St. Stephen of Hungary; and the Sieur Joachim Frederic, Count de Bernstorf, his Privy Counsellor of Conferences, his Plenipotentiary at the Congress, and Grand Cross of the Order of Dannebrog.

His Majesty the King of Bavaria, the Sieur Aloysius Francis Xavier, Count de Rechberg and Rothenlowen, Chamberlain and Privy Counsellor, Ambassador Extraordinary and Minister Plenipotentiary to the Imperial and Royal Court; Grand Cross of the Order of St. Hubert, Titular Commander of the Order of St. George, and Grand Cross of the Civil Order of Merit of Bavaria.

His Majesty the King of Saxony, the Sieur John Augustus Furchtegott de Globig, his Privy Counsellor, Chamberlain, Counsellor of the Court and of Justice, and Confidential Referendary.

His Majesty the King of the Netherlands, the Sieur Francis Christopher, Baron de Gagern; Minister Plenipotentiary of his Majesty the King of the Netherlands, and of their Serene Highnesses the Duke and Prince of Nassau, Grand Cross of the Order of the Golden Lion of Hesse, and of Fidelity of Baden.

His Majesty the King of Great Britain and Hanover, the Sieur Ernest Frederic Herbert, Count de Munster, Hereditary Grand Marshal of the Kingdom of Hanover, Grand Cross of the Royal Order of St. Stephen of Hungary, his Britannic-Hanoverian Majesty's Minister of State and of the Cabinet, and his First Plenipotentiary at the Congress at Vienna; and the Sieur Ernest Augustus, Count Hardenberg, Grand Cross of the Imperial Order of Leopold of Austria, Knight of the Royal Order of the Red Eagle of Prussia, and of St. John of Jerusalem; his Britannic-Hanoverian Majesty's Minister of State and of the Cabinet, his Ambassador Extraordinary and Minister Plenipotentiary to the Court of his Imperial and Royal Apostolic Majesty, and his Second Plenipotentiary at the Congress of Vienna.

His Royal Highness the Elector of Hesse, the Sieur Dorotheus Louis, Count de Keller, his Minister of State, Grand Cross of the Order of the Golden Lion and of the Red Eagle of Prussia, and the Sieur George Ferdinand, Baron de Lepel, his Chamberlain and Privy Counsellor of Government.

His Royal Highness the Grand Duke of Hesse, the Sieur John, Baron Turckheim von Altdorff, his Privy Counsellor, Minister of State and Envoy Extraordinary to the Congress; Grand Cross of the Order of Merit of Hesse, and Commander of the Royal Order of St. Stephen of Hungary.

His Royal Highness the Grand Duke of Saxe-Weimar, the Sieur Ernest Augustus, Baron de Gersdorff, his Privy Counsellor; the Sieur Frederick Augustus, Baron de Minckwitz acting in his stead.

His Serene Highness the Duke of Saxe-Gotha, the Sieur Frederick Augustus, Baron de Minckwitz, his Privy Counsellor.

Her Serene Highness the Duchess of Saxe-Cobourg-Meinungen, in the capacity of Regent and Guardian to her son, the said Baron de Minckwitz.

His Serene Highness the Duke of Saxe-Hildburghausen, the Sieur Charles Louis Frederick Baron de Baumbach, his Privy Counsellor, and President of the government.

His Serene Highness the Duke of Saxe-Cobourg-Saalfeld, the Sieur Francis Xavier de Fischler von Treuberg, Colonel, Knight of the Imperial Order of Leopold of Austria, and of the Crown of Bavaria.

His Serene Highness the Duke of Brunswick-Wolfenbuttel, in the absence of the Sieur William Justus Eberhardt Schmidt Phiseldeck, his Privy Counsellor, has named the Sieur Dorotheus Louis Count de Keller, Minister of State to the Elector of Hesse, &c. &c.

His Serene Highness the Duke of Holstein-Oldenburg, the Sieur Albert, Baron de Maltzahn, President of the Goverenment of the principality of Lubeck, Grand Cross of the Russian Order of St. Anne, and Knight of St. John of Jerusalem.

His Serene Highness the Duke of Mecklenburg-Schwerin, the Sieur Leopold, Baron de Plessen, his Minister of State, Grand Cross of the Order of Dannebrog.

His Serene Highness the Duke of Mecklenburg Strelitz, the Sieur Augustus Otto Ernest, Baron de Oertzen, his Minister of State, Grand Cross of the Order of the Red Eagle of Prussia.

His Serene Highness the Duke of Anhalt-Dessau, on his own part, and in the capacity of guardian to the Duke of Anhalt-Köthen, a minor, and his Serene Highness the Duke of Anhalt-Bernbourg, jointly, the Sieur Wolf Charles Augustus de Wolfframsdorff, President of the government of Dessau.

His Serene Highness the Prince of Hohenzollern-Hechingen, the Sieur Francis Anthony, Baron de Franck, his Privy Counsellor.

His Serene Highness the Duke of Hohenzollern-Sigmaringen, the Sieur John Francis Louis de Kirchbauer, his Privy Counsellor of Legation.

Their Serene Highnesses the Duke and Prince of Nassau, the Sieurs Francis Christopher, Baron de Gagern, and Ernest Francis Louis, Mareschall von Bieberstein, Grand Cross of the Order of Fidelity, Plenipotentiary of his Majesty the King of the Netherlands, for his German dominions, and of their Serene Highnesses the Duke and Prince of Nassau.

His Serene Highness the Prince of Lichtenstein, the Sieur George Walter Vincent de Wiese, Vice-Chancellor of the government of the Prince of Reuss, at Gera.

His Serene Highness the Prince of Schwartzbourg-Sondershausen, the Sieur Adolphus de Wiese, his Privy Counsellor and Chancellor.

His Serene Highness the Prince of Schwartzbourg-Rudolstadt, the Sieur Frederic William, Baron de Kettelholdt, his Chancel-and President, Hereditary Cup-bearer of the county of Henneberg, and Grand Cross of the Order of Fidelity of the Grand Duke of Baden.

His Serene Highness the Prince of Waldeck and Pyrmont, the Sieur Günther Henry de Berg, Doctor of Laws, and President of the government of the Prince of Schaumburg-Lippe.

Their Serene Highnesses the Princes of Reuss, of the elder and younger branch, the Sieur George Walter Vincent de Wiese, Vice-Chancellor of the government of Gera.

His Serene Highness the Prince of Schaumburg-Lippe, the Sieur Günther Henry de Berg.

Her Serene Highness the Princess of Lippe, in the capacity of Regent and Guardian to the Prince her son, the Sieur Frederic William Hellwing, her Chancellor of government.

The free city of Lubeck, the Sieur John Frederic Hack, Doctor of Laws, and Senator of that city.

The free city of Frankfort, the Sieur John Ernest Frederic Danz, Doctor of Laws, and Senator of that city.

The free city of Bremen, the Sieur John Schmidt, Senator of that city.

The free city of Hamburgh, the Sieur John Michael Gries, Recorder of that city.

Conformably to the above agreement, the said Plenipotentiaries, after exchanging their full powers, found in due form, have agreed upon the following Articles:

ART. I. The Sovereign Princes and free towns of Germany, among whom, as far as concerns the present Act, are included their Majesties the Emperor of Austria, the Kings of Prussia, of Denmark, and of the Netherlands; that is to say, the Emperor of Austria and the King of Prussia for all those of their possessions which anciently belonged to the German Empire; the King of Denmark for the Duchy of Holstein, and the King of the Netherlands for the Grand Duchy of Luxembourg, establish among themselves a perpetual Confederation, which shall be called "The Germanic Confederation."

ART. II. The object of this Confederation is the maintenance of the external and internal safety of Germany, and of the independance and inviolability of the confederated States.

ART. III. The Members of the Confederation, as such, are equal in respect to rights; and they all equally engage to support the Act which constitutes their union.

ART. IV. The affairs of the Confederation shall be confided to a Federative Diet, in which all the Members shall vote by their Plenipotentiaries, either individually or collectively, in the following manner, without prejudice to their rank:

	Vote.
1. Austria	1
2. Prussia	1
3. Bavaria	1
4. Saxony	1
5. Hanover	1
6. Wurtemburg	1
7. Baden	1
8. Electoral Hesse	1
9. Grand Duchy of Hesse	1
10. Denmark, for Holstein	1
11. The Netherlands, for the Grand Duchy of Luxembourg	1
12. Grand-Ducal and Ducal Houses of Saxony	1
13. Brunswick and Nassau	1
14. Mecklenburg-Schwerin and Mecklenburg-Strelitz	1
15. Holstein-Oldenburg, Anhalt and Schwartzburg	1
16. Hohenzollern, Lichtenstein, Reuss, Schaumburg-Lippe, Lippe and Waldeck	1
17. The Free Towns of Lubeck, Frankfort, Bremen and Hamburgh	1
Total Votes	17

ART. V. Austria shall preside at the Federative Diet. Each State of the Confederation has the right of making propositions, and the presiding State shall bring them under deliberation within a definite time.

ART. VI. Whenever fundamental laws are to be enacted, or changes made in the fundamental laws of the Confederation, measures to be adopted relative to the Federative Act itself, and organic institutions, or other arrangements to be made for the common interest, the Diet shall form itself into a General Assembly, and, in that case, the distribution of the votes shall be as follows, calculated according to the respective extent of the different States:

	Votes.
Austria shall have	4
Prussia	4
Saxony	4
Bavaria	4
Hanover	4
Wurtemburg	4
Baden	3
Electoral Hesse	3
Grand Duchy of Hesse	3
Holstein	3
Luxembourg	3
Brunswick	2
Mecklenburg-Schwerin	2
Nassau	2
Saxe-Weimar	1
Saxe-Gotha	1
Saxe-Coburg	1
Saxe-Meinungen	1
Saxe-Hildburghausen	1
Mecklenburg-Strelitz	1
Holstein-Oldenburg	1
Anhalt-Dessau	1
Anhalt-Bernbourg	1
Anhalt-Koethen	1
Schwartzbourg-Sondershausen	1
Schwartzbourg-Rudolstadt	1
Hohenzollern-Hechingen	1
Lichtenstein	1
Hohenzollern-Sigmaringen	1
Waldeck	1
Reuss, (Elder Branch)	1
Reuss, (Younger Branch)	1
Schaumburg-Lippe	1
Lippe	1
The Free Town of Lubeck	1
———— Frankfort	1
———— Bremen	1
———— Hamburgh	1
Total Votes	69

The Diet, in deliberating on the Organic Laws of the Confederation, shall consider whether it be proper to grant to the ancient mediatised districts of the Empire any collective votes.

ART. VII. The question, whether a subject is to be discussed by the General Assembly, conformably to the principles above established, shall be decided in the ordinary Assembly by a majority.—The same Assembly shall prepare the drafts of resolutions to be proposed to the General Assembly, and shall furnish the latter with all the information necessary, either for adopting or rejecting them.—The plurality of votes shall regulate the decisions, both in the Ordinary and General Assemblies, with this difference, however, that, in the Ordinary Assembly, the absolute majority shall be deemed sufficient, while, in the other, two-thirds of the votes shall be necessary to form the plurality. When the votes are even in the Ordinary Assembly, the President shall decide the question: but when the Assembly is to deliberate on the acceptation or change of any of the fundamental laws, upon organic institutions, upon individual rights, or upon affairs of religion, the majority shall not be deemed sufficient, either in the Ordinary or in the General Assembly. The Diet is permanent, but may, when the objects submitted to its deliberation are terminated, adjourn for a period not exceeding four months.—All ulterior dispositions relative to the adjournment, or the expedition of pressing affairs, which may arise during the recess, are reserved for the Diet, which shall take due notice of them when engaged in the drawing up of the Organic Laws.

ART. VIII. In regard to the order in which the members of the Confederation shall vote, it is determined, that while the Diet is occupied with framing Organic Laws, there shall be no fixed rule in this respect; and whatever may be the rule that is observed on such an occasion, it shall neither prejudice any of the members, nor establish a precedent for the future. After framing the Organic Laws, the Diet shall deliberate upon the manner of fixing this object, by a permanent regulation; for which purpose it shall depart as little as possible from those regulations which have been observed by the ancient Diet, and chiefly according to the recess of the Deputation of the empire in 1803: the order to be adopted shall not in any way influence the rank and precedence of the members of the Confederation, except in as far as they have any relations with the Diet.

ART. IX. The Diet shall sit at Frankfort on the Maine. Its first meeting is fixed for the 1st of September 1815.

ART. X. The first object to be considered by the Diet after its meeting, shall be the enactment of the fundamental laws of the Confederation, and of its Organic Institutions, with respect to its exterior, military, and interior relations.

ART. XI. The States of the Confederation engage to defend from all hostile attack, the whole of Germany, as well as each individual state of the Union; and they mutually guarantee to each other all their possessions comprised in this Union. When war is declared by the Confederation, no member can open a separate negociation with the enemy, nor make peace, nor conclude an armistice, without the consent of the other members.—While they reserve to themselves the right of forming alliances, the members of the Confederation bind themselves, nevertheless, not to contract any engagement which might be directed against the safety of the Confederation or of any of the individual states composing it.—The confederated states engage, in the same manner, not to make war on one another, on any pretext, nor to pursue their differences by force of arms, but to submit them to the Diet, which shall attempt a mediation by means of a Commission. If this should not succeed in bringing the contending parties to an accommodation, and a juridical sentence becomes necessary, it shall be obtained by a well organized *Austregal* jury *(Austregal instanz,)* to which the contending parties are to submit without appeal.

2. *Particular arrangements.*

Besides the points settled in the preceding Articles, relative to the establishment of the Confederation, the confederated states have agreed to the arrangements contained in the following Articles, with regard to the subjects hereafter mentioned; which Articles shall have the same force and validity as the preceding ones.

ART. XII. Those members of the Confederation whose possessions do not contain a population to the number of 300,000 souls, shall unite themselves to the reigning houses of the same line, or to others of the confederated states, whose population, added to theirs, will amount to the number here specified, for the purpose of jointly forming a supreme tribunal. In those states, however, of a smaller population, where similar tribunals of the third instance already exist, they shall be continued, on their present footing, provided the population of the state to which they belong, be not less than 150,000 souls. The four free cities shall have the right of uniting together, in the formation of a common and supreme tribunal. Each party appearing before these joint and supreme tribunals shall be authorized to demand a reference of the proceedings to the Faculty of Law belonging to a foreign University, or to a Court of Reference *(siège d'echevin)* to whom the final sentence shall be submitted.

ART. XIII. There shall be Assemblies of the States in all the countries belonging to the Confederation.

ART. XIV. In order to secure to the ancient States of the empire, mediatised in 1806, and in the subsequent years, the enjoyment of equal rights in all countries belonging to the Confederation, and conformable to the relations at present existing between them, the confederated states establish the following principles:—A.—The houses of the mediatised princes and counts are nevertheless to rank equally with the high nobility of Germany, and are to retain the same privileges of birth-right with the sovereign houses *(Ebenbürtigkeit,)* as they have hitherto enjoyed.—B.—The heads of these houses are to form the principal class of the states in the countries to which they belong: they, as well as their families, are to be included in the number of the most privileged persons, particularly in respect to taxes.—C.—With regard to themselves, their families and property, they are generally to retain all the rights and privileges attached to their possessions, and which do not belong to the supreme authority, or to the attributes of government.

Among the rights which are secured to them by this Article, are specially included, 1. The perfect liberty of residing in any state belonging to the Confederation, or at peace with it. 2. The maintenance of family compacts, conformably to the ancient constitution of Germany; and the right of connecting their estates and the members of their families, by obligatory arrangements; which, however, ought to be made known to the sovereign, and to the public authorities. The laws by which this right has been hitherto restricted, shall not be applicable to future cases. 3. The privilege of being amenable only to superior tribunals, and of being exempt from all military conscription, for themselves and families. 4. The exercise of civil and criminal jurisdiction, in the first instance; and, if the possessions are sufficiently extensive, in the second instance; the exercise of the forest jurisdiction, of the local police, and of the inspection of churches, schools, and charitable institutions: the whole conformably to the laws of the country to which they remain subject, as well as to the military regulations and supreme authority reserved to the governments, respecting objects of the above-mentioned prerogatives, for the better determining them, and, in general, for the adjusting and consolidating the rights of mediatised princes, counts, and lords, in a manner uniform to all the states of the German Confederation. The Ordinance issued upon this subject, by his Majesty the King of Bavaria, in 1807, shall be adopted as a general rule.—The ancient and immediate nobility of the empire shall enjoy the rights specified in sections 1 and 2; namely, of sitting in the Assembly of the States, of exercising the patrimonial and forest jurisdiction, of the local police, of presentations to church benefices, as well as of not being amenable to the ordinary tribunals. These rights shall, however, be exercised according to the regulations established by the laws of the country in which the members of this nobility have possessions. In the provinces detached from Germany by the peace of Luneville of the 9th of February 1801, and which are at present re-united thereto, the principles above specified, relative to the ancient and immediate nobility of the empire, shall, in their application, be subject to such modifications as may be rendered necessary by the relations which exist in these provinces.

ART. XV. The continuation of the direct and subsidiary rents assigned upon the duties of the navigation of the Rhine, as well as the arrangements of the recess of the Deputation of the empire, dated the 25th of February 1803, relative to the payment of debts and pensions granted to individuals of the clergy or laity, are guaranteed by the Confederation. The members of the late chapters of the cathedral churches, as well as those of the free chapters of the empire, shall have the benefit of the pensions secured to them by the said recess, in every country at peace with the Germanic Confederation. The members of the Teutonic Order, who have not yet obtained adequate pensions, shall obtain them according to the principles established for the chapters of cathedral churches by the recess of the Deputation of the empire of the year 1803; and the Princes who have acquired possessions formerly belonging to the Teutonic Order, shall pay these pensions, according to their proportion of the property of the Teutonic Order. The Diet of the Confederation shall deliberate upon the measures to be adopted for establishing a fund for the support and pensioning of bishops and other members of the clergy belonging to the countries on the left bank of the Rhine, the payment of which pensions shall be transferred to the Powers actually possessing the said countries. This matter shall be settled within a year, and until that time the pensions shall be paid as heretofore.

ART. XVI. The different Christian sects in the countries and territories of the Germanic Confederation, shall not experience any difference in the enjoyment of civil and political rights. The Diet shall consider of the means of effecting, in the most uniform manner, an amelioration in the civil state of those who profess the Jewish religion in Germany, and shall pay particular attention to the measures by which the enjoyment of civil rights shall be secured and guaranteed to them in the confederated states; upon condition, however, of their submitting to all the obligations imposed upon other citizens. In the mean time, the privileges already granted to this sect, by any particular state, shall be secured to them.

ART. XVII. The family of the Princes of Tour and Taxis shall retain the revenues arising from the post in the confederated states, under the same regulations as were granted by the recess of the Deputation of the empire of the 25th February 1803, or by subsequent Conventions, in so far as they shall not have been altered by new Conventions freely acceded to on both sides. In all cases the rights and pretensions of this house, whether with regard to retaining the post, or to a fair indemnity for the same, such as the above recess has settled, shall be maintained. This regulation also applies to the case where the former administration of the post may have been abolished since 1803, in contravention of the recess of the Deputation of the empire: unless, however, an indemnity shall have been absolutely settled by a particular Convention.

ART. XVIII. The Princes and the free towns of Germany have agreed to secure to the subjects of the confederated states, the following rights.—A.—That of acquiring and possessing funded property beyond the limits of the state in which they are settled, without being liable to pay to the foreign Power any higher tax or duty than those paid by its own subjects.—B.—1. That of emigrating from one confederated state to another, provided it be proved that the state in which they settle receive them as subjects. 2. That of entering into the civil or military service of any of the confederated states; it being, however, understood, that the exercise of either of these rights does not release them from being liable to military service in their own country. And in order that the difference of the laws with regard to their liability to military service may not be attended with any partial advantages or injurious consequences to any particular state, the Diet of the Confederation shall consider of the means of establishing regulations upon this subject, as impartial as possible.—C.—The exemption from all export duty, drawback, or other impost of that description, in case they remove their property from one confederated state to another, unless it should be otherwise stipulated by particular Conventions concluded between them.—D.—Upon its first meeting, the Diet shall frame laws for the liberty of the press in general, and shall adopt such measures as may secure authors and editors against the piracy of their works.

ART. XIX. The confederated states reserve to themselves the right of deliberating, at the first meeting of the Diet at Frankfort, upon the manner of regulating the commerce and navigation from one state to another, according to the principles adopted by the Congress of Vienna.

ART. XX. The present Act shall be ratified by all the Contracting Parties, and the ratifications shall, in six weeks, or sooner if possible, be addressed to the Royal and State Chancery of his Majesty the Emperor of Austria at Vienna, and deposited in the archives of the Confederation, on the opening of the Diet. In faith of which all the Plenipotentiaries have signed the present instrument, and have affixed thereunto the seal of their arms. Done at Vienna, the 8th June 1815.

Signed (L. S.) *Prince Metternich.*
(L. S.) *Baron Wessenberg.*
(L. S.) *Charles Prince Hardenberg.*
(L. S.) *William Baron Humboldt.*
(L. S.) *Ch. Count Bernstorff.*
(L. S.) *J. Count Bernstorff.*
(L. S.) *A. Count Rechberg and Rothenlowen.*

(L. S.) *John Augustus Baron Globig.*
(L. S.) *H. Baron Gagern.*
(L. S.) *E. Count Munster.*
(L. S.) *Count Hardenberg.*
(L. S.) *Count Keller, acting at the same time for Brunswick.*
(L. S.) *G. J. Baron Lepel.*
(L. S.) *J. Baron Turckheim.*
(L. S.) *Baron Minkwitz, in the place of Mr. de Gersdorff; Plenipotentiary of the Grand Duke of Weimar, and of the Dukes of Saxe-Gotha and of Saxe-Meinungen.*
(L. S.) *Baron Baumbach.*
(L. S.) *Baron Fischler von Treuberg.*
(L. S.) *Baron Maltzahn.*
(L. S.) *Leopold Baron Plessen.*
(L. S.) *Baron Oertzen.*
(L. S.) *De Wolfframsdorff.*
(L. S.) *Baron Franck.*
(L. S.) *Francis Aloysius Kirchbauer.*
(L. S.) *De Marschall von Bieberstein.*
(L. S.) *Dr. George Wiese, Plenipotentiary of the Princes Lichtenstein and Reuss.*
(L. S.) *De Weise.*
(L. S.) *Baron Kettelholdt.*
(L. S.) *De Berg, acting for Waldeck and Schaumburg Lippe.*
(L. S.) *Hellwing.*
(L. S.) *Hach.*
(L. S.) *Danz.*
(L. S.) *Schmidt.*
(L. S.) *Gries.*

ACT, No. X.—*Treaty between the King of the Netherlands, Prussia, England, Austria, and Russia, of the* 31*st May* 1815.

In the Name of the Most Holy and Undivided Trinity.

His Majesty the Emperor of Austria, King of Hungary and Bohemia, and his Majesty the King of the Netherlands, being desirous of carrying into effect and of completing the arrangements contained in the Treaty of Peace concluded at Paris the 30th of May 1814, which, while it establishes a just equilibrium in Europe, and assigns to the United Provinces such a proportion of territory as may enable them to support their own independance, secures to them the countries comprised between the sea, the frontiers of France, and the Meuse, leaves undefined their limits on the right bank of that river; and their said Majesties having resolved to conclude a separate Treaty on this subject, conformably to the arrangements of the Congress of Vienna, have appointed Plenipotentiaries to concert, agree upon, and sign whatever relates to this subject, viz: His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Clement, Vinceslas Lothaire, Prince Metternich-Winnebourg-Ochsenhausen, Knight of the Golden Fleece, Grand Cross of the Royal Order of St. Alexander Newsky, and of St. Anne of the First Class; Grand Cordon of the Legion of Honour; Knight of the Order of the Elephant, of the Supreme Order of the Annunciation, of the Black Eagle and the Red Eagle, of the Seraphim, Knight of the Order of St. Joseph of Tuscany, of St. Hubert, of the Golden Eagle of Würtemburg, of Fidelity of Baden, of St. John of Jerusalem, and of several others; Chancellor of the Military Order of Maria Theresa, Curator of the Academy of the Fine Arts, Chamberlain, intimate and actual Counsellor of his Majesty the Emperor of Austria, King of Hungary and Bohemia, his Minister of State, of Conferences, and of Foreign Affairs, his principal Plenipotentiary at the Congress; and the Sieur John Philip Baron Wessenberg, Knight Grand Cross of the Military and Religious Order of St. Maurice and St. Lazarus, Chamberlain, and intimate and actual Counsellor of his Imperial and Royal Apostolic Majesty, his second Plenipotentiary at the Congress; and his Majesty the King of the Netherlands, the Sieur Gerhard Charles Baron de Spaen de Voorstonden, Member of the Corps of Nobles of the province of Gueldre, Envoy Extraordinary and Minister Plenipotentiary from his Majesty the King of the Netherlands, Prince of Orange-Nassau, Grand Duke of Luxemburg, at the Court of Vienna, and one of his Plenipotentiaries at the Congress; and the Sieur Hans Christopher Ernest, Baron de Gagern, Grand Cross of the Order of the Lion of Hesse, and of the Order of Fidelity of Baden, Plenipotentiary of his said Majesty at the Congress of Vienna; who, after having exchanged their full powers, found in good and due form, have agreed to the following Articles:

ART. I. The old United Provinces of the Netherlands, and the former Belgic Provinces, both within the limits fixed by the following article, shall form, together with the countries designated in the same article, under the sovereignty of his royal highness the Prince of Orange-Nassau, Sovereign Prince of the United Provinces, the kingdom of the Netherlands; hereditary in the order of succession already established by the Act of the Constitution of the said United Provinces. His Majesty the Emperor of Austria, King of Hungary and Bohemia, acknowledges the title and prerogatives of the royal dignity in the House of Orange-Nassau.

ART. II. The line comprising the territories which shall compose the kingdom of the Netherlands, is determined in the following manner: It leaves the sea, and extends along the frontiers of France on the side of the Netherlands, as rectified and fixed by the third Article of the Treaty of Paris of the 30th May 1814, to the Meuse; thence along the same frontiers to the old limits of the duchy of Luxembourg: from this point it follows the direction of the limits between that duchy and the old bishopric of Liege, till it meets (to the south of Deiffelt) the western limits of that canton, and of that of Malmedy, to the point where the latter reaches the limits between the old departments of the Ourthe and the Roer; it then goes along these limits to where they touch those of the former French canton of Eupen, in the duchy of Limburg, and following the western limit of that canton in a northerly direction, leaving to the right a small part of the former French canton of Aubel, joins at the point of contact of the three old departments of the Ourthe, the Lower Meuse, and the Roer; parting again from this point, this line follows that which divides the two latter departments, until it reaches the Worm (a river falling into the Roer), and goes along this river to the point where it again reaches the limit of these two departments, pursues this limit to the south of Hillensberg (the old department of the Roer) from whence it reascends to the north, and leaving Hillensberg to the right, and dividing the canton of Sittard into nearly equal parts, so that Sittard and Susteren remain on the left, it reaches the old Dutch territory; from whence, leaving this territory to the left, it goes on following its eastern frontier, to the point where it touches the old Austrian principality of Gueldres, on the side of Ruremonde; and, directing itself towards the most eastern point of the Dutch territory to the north of Swalmen, continues to encircle this territory.—Lastly, setting out from the most eastern point, it joins that other part of the Dutch territory in which Venloo is situated; that town and its territory being included within it. From thence to the old Dutch frontier near Mook, situated below Genep, the line follows the course of the Meuse, at such a distance from the right bank, that all the places within a thousand Rhenish yards from it, *(Rheinlandische Ruthen)* 1,970 of which yards are equal to the 15th part of a degree of the meridian, shall belong, with their territories, to the kingdom of the Netherlands; it being understood, however, as to the reciprocity of this principle, that the Prussian territory shall not at any point touch the Meuse, or approach it within the distance of 800 Rhenish yards.—From the point where the line just described reaches the ancient Dutch frontier, as far as the Rhine, this frontier shall remain essentially the same as it was in 1795, between Cleves, and the United Provinces.—This line shall be examined by a commission, which the Governments of Prussia and the Netherlands shall name without delay, for the purpose of proceeding to the exact determination of the limits, as well of the kingdom of the Netherlands as of the Grand Duchy of Luxemburg, specified in the 4th Article: and this commission, aided by professional persons, shall regulate every thing concerning hydrotechnical constructions and other points, in the most equitable manner, and the most conformable to the mutual interests of the Prussian States, and of those of the Netherlands. This same arrangement refers to the fixing of limits in the districts of Kyfwaerd; Lobith, and in the whole territory as far as Kekerdom.—The enclaves of Huissen, Malburg, Lymers, with the town of Sevenaer, and the lordship of Wiel, shall form part of the kingdom of the Netherlands, and his Prussian Majesty shall renounce them in perpetuity for himself, his heirs and successors.

ART. III. That part of the old duchy of Luxemburg which is comprised in the limits specified in the following Article, is likewise ceded to the Sovereign Prince of the United Provinces, now King of the Netherlands, to be possessed in perpetuity by him and his successors in full property and sovereignty. The Sovereign of the Netherlands shall add to his titles that of Grand Duke of Luxemburg, his Majesty reserving to himself the privilege of making such family arrangements between the princes his sons, relative to the succession to the Grand Duchy, as he shall think conformable to the interests of his monarchy and his paternal intentions.—The Grand Duchy of Luxemburg being intended as an indemnity for the principalities of Nassau-Dillenburg, Siegen, Hadamar, and Dietz, shall form one of the States of the Germanic Confederation, and the Prince, King of the Netherlands, shall form a part of the system of this Confederation, as Grand Duke of Luxemburg with all the prerogatives and privileges which the other German princes might enjoy.—The town of Luxemburg, in a military point of view, shall be considered as a fortress belonging to the Confederation. The Grand Duke shall, however, retain the power of appointing the governor and military commandant of this fortress, subject to the approbation of the executive power of the Confederation, and under such other conditions as it may be judged necessary to establish, in conformity to the future constitution of the said Confederation.

ART. IV. The Grand Duchy of Luxemburg shall consist of all the territory situated between the kingdom of the Netherlands, such as it has been designated by Article II. France, the Moselle, as far as the mouth of the Sure, the course of the Sure, as far as the junction of the Our, and the course of this last river, as far as the limits of the former French canton of St. Vith, which is not to belong to the Grand Duchy of Luxemburg.—Disputes having arisen with regard to the property of the duchy of Bouillon, his Majesty the King of the Netherlands, Grand Duke of Luxemburg, engages to restore the part of the said duchy which is comprised in the line of frontier above-mentioned, to that party whose claims shall be legally confirmed.

ART. V. His Majesty the King of the Netherlands renounces in perpetuity, for himself, his heirs and successors, in favour of his Majesty the King of Prussia, the sovereign possessions which the House of Nassau Orange held in Germany, namely, the principalities of Dillenburg, Dietz, Siegen, and Hadamar, together with the lordships of Bielstein, such as those possessions have been definitively arranged between the two branches of the House of Nassau, by the Treaty concluded at the Hague the 14th of July 1814. His Majesty equally renounces all claim to the principality of Fulda, and to the other districts and territories, which had been secured to him by the 12th Article of the principal recess of the extraordinary deputation of the empire on the 25th February 1803.

ART. VI. The right and order of succession established between the two branches of the House of Nassau, by the Act of 1783, called *(Nassauischer Erb-Verein)* is confirmed and transferred from the four principalities of Orange-Nassau, to the Grand Duchy of Luxemburg.

ART. VII. His Majesty the King of the Netherlands, uniting under his sovereignty the countries designated in the 2nd and 4th Articles, enters into all the rights and takes upon himself all the charges, and all the stipulated engagements, relative to the provinces and districts detached from France by the Treaty of Peace concluded at Paris the 30th May 1814.

ART. VIII. His Majesty the King of the Netherlands having recognised and sanctioned under date of the 21st July 1814, as the bases of the union of the Belgic Provinces with the United Provinces, the eight Articles contained in the document annexed to the present Treaty, the said articles shall have the same force and validity as if they were inserted word for word, in the present instrument.

ART. IX. A Commission shall be immediately appointed by his Majesty the King of Prussia, and his Majesty the King of the Netherlands, to settle whatever relates to the cession of those possessions of the House of Nassau which belong to his Majesty, with regard to records, debts, excesses of the public chests, and other subjects of this nature.—That part of the records which does not concern the ceded provinces, but only the House of Orange, and libraries, collections of maps, and all other objects of the same description, belonging to his Majesty the King of the Netherlands, shall be retained by him as private and personal property, and shall be immediately restored to his Majesty. A part of the said possessions being exchanged against other possessions of the Duke and Prince of Nassau, his Majesty the King of Prussia engages, and his Majesty the King of the Netherlands consents, that the engagement stipulated in the present Article shall be transferred to their Serene Highnesses the Duke and Prince of Nassau, with respect to those possessions which are to be united to their States.

ART. X. The present Treaty shall be ratified, and the ratifications exchanged in six weeks, or sooner, if possible. In faith of which the above-mentioned plenipotentiaries have signed it, and have affixed thereunto the seal of their arms. Done at Vienna, the 31st of May, 1815.

Signed (L. S.) *The Prince Metternich.*
(L. S.) *The Baron Wessenberg.*
(L. S.) *The Baron de Spaen.*
(L. S.) *The Baron de Gagern.*

[Note.—The same Treaty has been concluded and signed between his Majesty the King of the Netherlands and the Courts of London, Berlin, and Petersburg.]

Act annexed to Article VIII. of the Treaty of 1815;

Signed by the Secretary of State for Foreign Affairs, on the occasion of his Royal Highness's acceptance of the Sovereignty of the Belgic Provinces. His Excellency the Earl of Clancarty, Ambassador Extraordinary and Minister Plenipotentiary from his Britannic Majesty to his Royal Highness the Prince Sovereign of the Netherlands, having delivered to the undersigned a copy of the Protocol of a conference which took place in the month of June last, between the Ministers of the High Allied Powers, and signed by them, on the subject of the Union of Belgium with Holland; and the said Ambassador having also communicated to him the instructions he had received from his Court, to enter into an arrangement with General Baron Vincent, Governor-general of Belgium, for delivering up the provisional government of the Belgic Provinces to the person whom his Royal Highness shall entrust with it, in the name of the Allied Powers, until the time of their definitive and formal Union; provided that the said Ambassador, previously, and in conjunction with the Ministers, or other Diplomatic Agents of Austria, Russia and Prussia, now at the Hague, should receive from his Royal Highness his formal accession to the conditions of the Union of the two countries, according to the invitation made to the Prince Sovereign, in the said Protocol; the undersigned has laid before his Royal Highness the copy of the Protocol, and the official Note of the said Ambassador, which contained the substance of his instructions on this subject. His Royal Highness the Prince Sovereign declares, that the conditions of the Union, contained in the Protocol, are conformable to the following eight Articles:

ART. 1. This Union shall be intimate and complete, so that the two countries shall form but one and the same state; governed by the Constitution already established in Holland, which shall be modified by common consent, according to existing circumstances.

ART. II. No innovation shall be made in the Articles of this Constitution, which assure equal protection and favour to every sect, and guarantee the admission of all citizens, whatever their religious belief may be, to public employments and offices.

ART. III. The Belgic Provinces shall be properly represented at the Assembly of the States General, of which the ordinary sessions shall be held, in time of peace, in a city in Holland and in a city of Belgium, alternately.

ART. IV. Every inhabitant of the Netherlands being thus placed by the Constitution upon the same footing, the different provinces shall equally enjoy all such commercial and other advantages as are consistent with their respective situations; and no kind of impediment or restriction shall be imposed on either, to the advantage of the other.

ART. V. Immediately after the Union, the provinces and towns of Belgium shall participate in the commerce and navigation of the colonies, upon the same footing as the provinces and towns of Holland.

ART. VI. As the expenses as well as the profits are to be jointly shared, the debts contracted up to the period of the Union of the Dutch Provinces, on the one side, and the Belgic Provinces on the other, shall be at the charge of the Treasurer-General of the Netherlands.

ART. VII. Upon the same principles, the expenses necessary for the establishment and preservation of the frontier fortresses of the new state, shall be defrayed by the Treasurer-General, as resulting from an object connected with the safety and independence of all the provinces and of the whole nation.

ART. VIII. The expenses of establishing and repairing dykes shall be defrayed by the districts more immediately interested in this part of the public convenience; the state in general, however, shall not be exempted from contributing towards the same, in case of extraordinary disaster, as it has hitherto been the custom in Holland. And his Royal Highness having accepted these eight Articles, as the bases and conditions of the Union of Belgium with Holland, under the sovereignty of his Royal Highness; the undersigned Anne William Charles Baron de Nagell, Chamberlain to his Royal Highness the Prince Sovereign of the Netherlands, and his Secretary of State for Foreign Affairs, is charged and authorized in the name and on the part of his august master, to accept the sovereignty of the Belgic Provinces, upon the conditions contained in the eight preceding Articles, and to guarantee, by the present Act, their acceptance and execution. In faith of which the undersigned Anne William Charles Baron de Nagell, Chamberlain to his Royal Highness the Prince Sovereign of the United Netherlands, and his Secretary of State for Foreign Affairs, has confirmed the present Act by his signature, and has caused to be affixed thereunto the seal of his arms. Done at the Hague the 21st of July 1814.

Signed (L. S.) *A. W. C. de Nagell.*

ACT, No. XI.—*Declaration of the Powers on the affairs of the Helvetic Confederacy, of the 20th March; and Act of Accession of the Diet of the 27th May* 1815.

(Declaration.)

The Powers called upon to mediate in the arrangement of the affairs of Switzerland, in order to carry into effect the 6th Article of the Treaty of Paris of the 30th May 1814, having acknowledged that the general interest demands that the Helvetic States should enjoy the benefit of a perpetual neutrality; and wishing, by territorial restitutions and cessions, to enable it to secure its independence and maintain its neutrality;

After having obtained every information relative to the interests of the different cantons, and taken into consideration the claims submitted to them by the Helvetic Legation; Declare, That as soon as the Helvetic Diet shall have duly and formally acceded to the stipulations contained in the present instrument, an Act shall be prepared, containing the acknowledgment and the guarantee, on the part of all the Powers, of the perpetual neutrality of Switzerland, in her new frontiers; which Act shall form part of that which, in execution of the 32d Article of the Treaty of Paris of the 30th May, was to complete the arrangements contained in this Treaty.

(Transaction.)

ART. I. The integrity of the nineteen cantons, as they existed in a political body at the period of the Convention of the 29th December 1813, is acknowledged as the basis of the Helvetic System.

ART. II. The Vallais, the territory of Geneva, and the principality of Neufchatel, are united to Switzerland, and shall form three new cantons. The valley of Dappes, which formed part of the canton of Vaud, is restored to the latter.

ART. III. The Helvetic Confederation, having expressed a desire that the bishopric of Basle should be united to it, and the mediating Powers wishing to settle definitively the fate of these countries, declare, that the said bishopric, and the town and territory of Bienne, shall in future form part of the canton of Berne. The following districts only are excepted: 1. A district of about three square leagues in extent, including the communes of Altschweiler, Schönbuch, Obersweiler, Terweiler, Ettingen, Fürsteintein, Plotten, Pfeffingen, Aisch, Bruck, Reinach, Arles heim; which district shall be united to the canton of Basle. 2. A small *enclave*, situated near the Neufchatel village of Lignicres, being at present, with respect to civil jurisdiction, under the sovereignty of the canton of Neufchatel, and, with respect to criminal jurisdiction, under that of the bishopric of Basle, shall belong in full sovereignty to the principality of Neufchatel

ART. IV. 1 The inhabitants of the bishopric of Basle and Bienne, united to the cantons of Berne and Basle, shall enjoy, in every respect, without any distinction of religion (which shall be maintained in its present state) the same political and civil rights which are enjoyed, or may be enjoyed, by the inhabitants of the ancient parts of the said cantons. They shall, consequently, be eligible equally with them for the places of representatives, and for other offices, according to the Constitutions of the cantons. Such municipal privileges as are conformable with the Constitution and the general regulations of the canton of Berne, shall be continued to the town of Bienne, and to the villages that formed part of his jurisdiction. 2. The sale of the national domains is confirmed; the feudal rents and tithes cannot be re-established. 3. The respective Acts of Union shall be framed conformably to the principles above declared, by Commissions, composed of an equal number of deputies from each of the interested parties. Those from the bishopric of Basle shall be chosen by the canton director from amongst the most eminent citizens in the country. The said Acts shall be guaranteed by the Swiss Confederation. All the points upon which the parties cannot agree, shall be decided by an arbitrator appointed by the Diet. 4. The ordinary revenues of the country shall be collected on account of the present Administration, until the date of the accession of the Diet to the present transaction. The arrears of the said revenues shall be collected in like manner, but the extraordinary taxes, which have not yet been paid into the public chest, shall not be demanded. 5. No indemnity having been received by the Prince Bishop of Basle, for the quota of the revenues accruing to him from the bishopric which hitherto formed a part of Switzerland, and a stipulation having been made in the recess of the German empire of 1803, in favour of those countries only which have become an integral part of the said empire, the cantons of Berne and Basle are to pay to him, in addition to the said annuity, the sum of 12,000 florins of the empire, dating from the Union of the bishopric of Basle to the cantons of Berne and Basle; the fifth part of this sum shall be applied to, and remain as a provision for, the support of the canons of the ancient cathedral of Basle, in order to make up the annuity which has been settled by the recess of the German empire. The Helvetic Diet shall determine whether it be expedient to retain a bishopric in this part of Switzerland, or whether this diocese may not be united to that which, pursuant to the new arrangements, shall be formed out of the Swiss territory which belonged to the diocese of Constance. In case the bishopric of Basle should be continued, the canton of Berne shall furnish, in the same proportion as the other countries which shall in future be placed under the spiritual administration of the bishop, such a sum as may be necessary for the support of this prelate, of his chapter, and of his seminary.

ART. V. In order to secure the commercial and military communications of the town of Geneva with the canton of Vaud, and the rest of Switzerland, and with a view to fulfil, in that respect, the 4th Article of the Treaty of Paris, his Most Christian Majesty consents to place the line of custom-houses, so that the road which leads from Geneva into Switzerland by Versoy, shall at all times be free, and that neither the post, nor travellers, nor the conveyance of merchandize, shall be molested by any examination of the officers of the Customs, nor subjected to any duty. It is equally understood, that the passage of Swiss troops shall not in any manner be obstructed. In the additional regulations to be made on this subject, the execution of the Treaties relative to the free communication between the town of Geneva and the jurisdiction of Peney, shall be guaranteed in a manner the most suitable to the interests of the inhabitants of Geneva. His Most Christian Majesty consents likewise, that the gendarmerie and militia of Geneva, after having communicated on the subject with the nearest military post of the French gendarmerie, shall pass on the high road of Meyrin, in the said jurisdiction, to and from the town of Geneva. The Contracting Powers, moreover, interpose their good offices for the purpose of obtaining for the town of Geneva a suitable accession of territory on the side of Savoy.

ART. VI. With a view to provide mutual compensations, the cantons of Argovia, Vaud, Tessin, and St. Gall, shall furnish to the ancient cantons of Schwitz, Unterwald, Uri, Glaris, Zug, and Appenzell *(Rhode Interior)* a sum which shall be applied to the purposes of public instruction, and to the expenses of general administration, but principally to the former object, in the said cantons. The quality, the mode of payment, and the proportions of this pecuniary compensation, are determined as follows: 1. The cantons of Argovia, Vaud, and St. Gall, shall furnish to the cantons of Schwitz, Unterwald, Uri, Zug, Glaris, and Appenzell *(Rhode Interior)* the sum of 500,000 Swiss livres. 2. Each of the former cantons shall pay the interest of its quota, at the rate of five per cent. per annum, or have the option of discharging the principal, either in money or landed property. 3. The proportions, either of the payment of this sum, or of the recept of it, shall be determined according to the scale of contribution regulated for providing the federal expenses. The canton of Tessin shall pay every year to the canton of Uri, the half of the produce of the tolls in the Levantine valley. A Commission appointed by the Diet shall superintend the execution of the preceding arrangements.

ART. VII. To put an end to the disputes which have arisen, with respect to the funds placed in England by the cantons of Zurich and Berne, it is agreed; 1. That the cantons of Berne and Zurich shall preserve the property of the funded capital as it was in 1803, at the period of the dissolution of the Helvetic Government, and shall enjoy the interest thereupon, dating from January 1st, 1815. 2. That the accumulated interest due since the year 1798, up to the year 1814, inclusive, shall be applied to the payment of the remaining capital of the national debt, known under the denomination of the Helvetic debt. 3. That the surplus of the Helvetic debt shall remain at the charge of the other cantons, those of Berne and Zurich being exonerated by the above arrangement. The quota of each of the cantons, charged with this surplus, shall be calculated and paid in the proportion fixed for the contributions destined to the payment of federal expenses. The countries incorporated with Switzerland since 1813, shall not be assessed on account of the old Helvetic debt. If an excess of interest should remain, after discharging the above debt, such excess shall be divided between the cantons of Berne and Zurich, in proportion to their respective capitals. 4. The same dispositions shall be observed with regard to other debts, the deeds concerning which are now in the custody of the President of the Diet.

ART. VIII. The Mediating Powers wishing to conciliate all contentions respecting the *lauds* cancelled without indemnity, have determined that an indemnity shall be paid to the individuals proprietors of *lauds*. For the purpose of avoiding all future dispute on this subject between the cantons of Berne and Vaud, the latter shall pay to the Government of Berne the sum of 300,000 Swiss livres, to be afterwards divided between the claiming Bernese proprietors of *lauds*. The payment shall be made at the rate of a fifth each year, commencing from January 1st, 1816.

ART. IX. The Mediating Powers, acknowledging the justice of securing to the Prince Abbot of St. Gall an honourable and independent existence, direct, that the canton of St. Gall shall pay to him an annuity of 6,000 florins of the Empire, and to those under him, an annuity of 2,000. These pensions shall be paid by instalments (commencing from the 1st of January 1815) into the hands of the directing canton, every three months, which shall place them at the disposal of the Prince Abbot of St. Gall, and of those under him, respectively. The Powers mediating in the affairs of Switzerland, by the above Declaration, afford a manifest proof of their desire to secure the internal tranquillity of the Confederation. They also feel it a duty to omit nothing which may accelerate its accomplishment. They expect, therefore, that the cantons, laying aside, for the public good, every secondary consideration, will no longer delay their accession to the Federal Union, freely consented to by a great majority of the Swiss States; the common interest imperiously demanding that every part of Switzerland should unite, as soon as possible, under the same Federative Constitution. The Convention of the 16th August 1814, annexed to the Act of the Federal Union, can no longer be an obstacle to their union. Its end being already attained by the Declaration of the Powers, it is in fact annulled.—To insure still further the repose of Switzerland, the Powers desire that a general amnesty be granted to all individuals who, led astray at a period of uncertainty and irritation, might have acted in some respect or other contrary to the present order of things. Far from weakening the legitimate authority of Governments, this act of clemency will afford them a new claim to exercise that salutary severity against whoever shall attempt in future to excite disturbance in the country.—Finally, the Mediating Powers trust, that the patriotism and the good sense of the Swiss people will point out to them the propriety, as well as the necessity, of mutually obliterating the remembrance of those differences which have divided them, and of consolidating the work of their reorganization by endeavouring to perfect it, in a spirit conducive to the public good, without any recollection of the past.

The present Declaration has been inserted in the Proctocol of the Congress assembled at Vienna, at its sitting of the 19th March 1815. Done and certified by the Plenipotentiaries of the eight Powers who signed the Treaty of Paris. Vienna the 20th March 1815.

(The Signatures follow in the alphabetical order of the Courts.)

AUSTRIA,	*The Prince Metternich.*
	The Baron Wessemberg.
SPAIN,	*P. Gomez Labrador.*
FRANCE,	*The Prince Talleyrand.*
	The Duke de D'Alberg.
	Latour du Pin.
	The Count Alexis de Noailles.
GREAT BRITAIN,	*Wellington.* *Clancarty.*
	Cathcart.
	Stewart.
PORTUGAL,	*The Count Palmella.*
	Saldanha.
	Lobo.

Prussia, *The Prince Hardenberg.*
The Baron Humboldt.

Russia, *The Count Rasoumoffsky.*
The Count Stackelberg.
The Count Nesselrode.

Sweden, *Lowenhielm.*

The Diet of the Swiss Confederation, at its special sitting held at Zurich.

Having received in its sitting of the 3d of April 1815, through the mediation of the Ministers accredited to the Confederation; viz. M. de Schraut, Austrian Minister, in the name of his Imperial and Royal Apostolick Majesty, as also by virtue of special powers, of his Royal Highness the Prince Regent of Portugal; M. Stratford Canning, accredited on the part of his Majesty the King of the United Kingdom of Great Britain and Ireland; the Count Augustus Talleyrand, on the part of his Most Christian Majesty the King of France, as also by virtue of special powers, of his Majesty the King of Spain and of the Indies; the Baron Chambrier d'Olleyres, in the name of his Majesty the King of Prussia; the Baron Krudener, Chargé d'Affaires of his Majesty the Emperor of Russia; the Declaration relative to the affairs of Switzerland, inserted in the Protocol of the Congress of Vienna the 19th, and signed the 20th of March 1815, by the Plenipotentiaries of the eight Powers who were parties to the Treaty of Paris of the 30th May 1814; hastened to communicate this Act to the nineteen confederated cantons, inviting them to give their sanction to the Diet's declaring, in due and proper form, the general accession of Switzerland to the arrangements contained in the said instrument.

The chief authorities of each canton, having maturely considered the object of this communication, and having successively made known to the Federal authority their final determination, the Diet of the Swiss Confederation, in pursuance of the acts deposited in their archives, and of the declarations inserted in their Proctocol, by which it appears that a number of cantons, exceeding that which the federal union prescribes, for the acceptance of the most important resolutions of the Helvetic body, have declared their consent thereto; which, according to the terms of the Constitution, becomes thereby that of the whole Confederation; have adopted the following Resolutions; 1. The Diet accedes, in the name of the Swiss Confederation, to the declaration of the powers assembled at the Congress of Vienna, under date of the 20th March 1815, and promises that the stipulations contained in the "Transaction" inserted in this Act, shall be faithfully and religiously observed. 2. The Diet expresses the eternal gratitude of the Swiss nation, towards the High Powers, who, by the above declaration, assign to them, with a boundary far more advantageous, its ancient important frontiers; unite three new cantons to the Confederation, and promise solemnly to acknowledge and guarantee the perpetual neutrality of the Helvetic Body, as being necessary to the general interest of Europe. The Diet feels the same sentiments of gratitude for the uniform kindness with which the august Sovereigns have exerted themselves in bringing about a reconciliation of the differences which had arisen between the cantons. 3. In pursuance of the present Act of Accession, and of the Note addressed to the Swiss Envoys at Vienna, the 20th March 1815, by Prince Metternich, President of the Conferences of the eight Powers, the Diet declares its wish that the Ministers of their Majesties, residing in Switzerland, would, in pursuance of the instructions which they have received, and of the powers with which they have been invested, give effect to the dispositions of the declarations of the 20th March, and carry into execution the engagements therein contained.

In faith of which the present Act has been signed and sealed, at Zurich, the 27th May 1815. In the name of the Diet of the Swiss Confederation, the Burgomaster of the Canton of Zurich, President,

(L. S) Signed. *De Wyss, the Chancellor of the Confederation.*
of Switzerland.
Signed. *Mousson.*

ACT, No. XII.—*Protocol of the 29th of March 1815, on the Cessions made by the King of Sardinia to the Canton of Geneva.*

The Allied Powers having expressed their earnest desire that certain facilities should be granted to the canton of Geneva, either for connecting a disjointed part of its possessions, or for opening its communications with Switzerland; his Majesty the King of Sardinia being anxious on his part, to evince to his high and powerful Allies, the great satisfaction which he experiences in rendering them any service in his power, the undersigned Plenipotentiaries have agreed to what follows:

ART. I. His Majesty the King of Sardinia places at the disposal of the High Allied Powers that part of Savoy which is situated between the river Arve, the Rhone, the limits of that part of Savoy occupied by France, and Mount Salève, as far as Veiry inclusive, together with that part which lies between the high road called the Simplon, the Lake of Geneva, and the present territory of the canton of Geneva, from Venezas to the point where the river of Hermance crosses the said road, and from thence, following the course of that river, to where it enters the Lake of Geneva, to the east of the village of Hermance (the whole of the road of the Simplon continuing to be possessed by his Majesty the King of Sardinia) in order that these countries may be united to the canton of Geneva;

with the reservation, however, of determining more precisely, by Commissioners respectively appointed, their limits, particularly of that part which relates to the demarcation above Veiry and on Mount Salève. His Majesty renounces for himself and his successors in perpetuity, all rights of sovereignty, and other rights which may have belonged to him over all the places and territories comprised in this line, without exception or reservation.

ART. II. His Majesty agrees, that the communication between the canton of Geneva and the Vallais, by the road of the Simplon, shall be established, in the same manner as it has been agreed to by France, between Geneva and the canton of Vaud, by the route of Versoy. A free communication shall also be at all times granted for the Genevese troops, between the territory of Geneva and the jurisdiction of Jussy, and such facilities shall be allowed as may be necessary for proceeding by the lake to the road of the Simplon.

ART. III. On the other hand, his Majesty feeling reluctant to giving his consent to a part of his territory being united to a State, whose prevailing religion is different, without securing to the inhabitants of the country which he cedes, the enjoyment of the free exercise of their religion, and the means of keeping up their religious establishments, with the full enjoyment of all the rights of citizens, it is agreed that, 1. The Catholic religion shall be maintained and protected, in the same manner as at present, in all those communes ceded by his Majesty the King of Sardinia, which are to be united to the canton of Geneva. 2. Those parishes which are neither dismembered nor divided by the line of the new frontiers, shall retain their present extension, and shall be served by the same number of clergymen; and with regard to the parts dismembered, which may not be sufficiently large to constitute a parish, application shall be made to the bishop of the diocese, in order to obtain their annexation to some other parish of the canton of Geneva. 3. If the number of Protestants inhabiting the communes ceded by his Majesty should be less than that of the Catholics, the school-masters residing in those communes shall always be Catholics. No Protestant church shall be established, excepting in the town of Carrouge, which shall have one. Two-thirds of the municipal officers shall be Catholics, and of the three individuals who fill the offices of mayor and his two assistants, two of them shall always be catholics. In case it should happen that an equal number of Protestants and Catholics should reside in the same commune, the municipal body shall be composed of an equal number of Protestants and Catholics, and they shall fill the office of mayor alternately; in this case, however, there must always be a Catholic school-master, even where a Protestant one is already established. It is not intended by this Article to prevent Protestants residing in a commune inhabited by Catholics, from erecting at their own expense a private chapel, for the exercise of their religion, if they desire it, or from having, also at their expense, a Protestant school-master for the private instruction of their children. 4. The funds, revenues, and the administration of religious and charitable institutions, shall remain untouched, and private individuals shall not be prevented from erecting new ones. 5. The government shall make the same provision as the present Government for the support of the clergy, and places of worship. 6. The Catholic church, now established at Geneva, shall be maintained, as at present, at the expense of the State, as the laws of the Constitution of Geneva have already decreed a suitable establishment and provision shall be made for the officiating clergyman. 7. The Catholic communes and the parish of Geneva shall continue to form part of the diocese which is to govern the provinces of the Chablais, and Faucigny; unless it should be otherwise regulated by the authority of the Holy See. 8. The bishop shall not, under any circumstances, be disturbed in his pastoral visits. 9. The inhabitants of a ceded country shall be placed entirely upon the same footing in point of civil and political rights, with the Genevese of the city; they shall exercise these rights conjointly with them, excepting, however, the rights of property, of citizenship, or of communes. 10. Catholic children shall be received into the public schools. They shall not be instructed in religion with the Protestants, but separately; and persons of the Catholic communion shall be appointed for this purpose. 11. The communal property belonging to the new communes, shall be preserved to them, and they shall continue to administer them as hitherto, and to apply the revenues to their use. 12. The new communes shall not be liable to greater taxes than the old communes. 13. His Majesty the King of Sardinia reserves to himself the right of making known to the Helvetic Diet, and to support by means of his diplomatic agents accredited to it, every claim to which the non-fulfilment of the above Articles might give rise.

ART. IV. All title deeds of landed property, and documents concerning ceded effects, shall be given up by his Majesty the King of Sardinia, to the canton of Geneva, as soon as possible.

ART. V. The Treaty concluded at Turin, the 3rd of June 1754, between his Majesty the King of Sardinia and the Republic of Geneva, is hereby confirmed, with regard to all those Articles which are not at variance with the present transaction; but his Majesty, wishing to give the canton of Geneva a particular mark of his favour, contents nevertheless to annul that part of Article XIII. of the above Treaty, which denied to the citizens of Geneva, who since that time have had establishments and property in Savoy, the privilege of making it their principal residence.

ART. VI. His Majesty consents, from the same motives, to make arrangements with the canton of Geneva, for facilitating the conveyance from his states of articles intended for the consumption of the town and canton. Vienna the 29th March 1815.

(Signed) *De St. Marsan.*

AUSTRIA,	(L. S.)	*The Prince de Metternich.*
	(L. S.)	*The Baron de Wessenberg.*
SPAIN,	(L. S.)	*Gomez Labrador.*
FRANCE,	(L. S.)	*The Prince de Talleyrand.*
	(L. S.)	*The Duke de D'Alberg.*
	(L. S.)	*The Count Alexis de Noailles*
GREAT BRITAIN,	(L. S.)	*Clancarty.*
	(L. S.)	*Cathcart.*
	(L. S.)	*Stewart,* Lt. G.
PORTUGAL,	(L. S.)	*The Comte de Palmella.*
	(L. S.)	*Antonio de Saldanha da Gama.*
	(L. S.)	*Lobo da Silveira.*
PRUSSIA,	(L. S.)	*The Prince de Hardenberg.*
	(L. S.)	*The Baron de Humboldt.*
RUSSIA,	(L. S.)	*The Prince de Rasoumoffsky*
	(L. S.)	*The Count de Stackelberg.*
	(L. S.)	*The Count de Nesselrode.*
SWEDEN,	(L. S.)	*The Count de Lowenhielm.*

ACT, No. XIII.—*Treaty between the King of Sardinia, Austria, England, Russia, Prussia, and France, of the 20th May* 1815.

In the name of the Most Holy and Undivided Trinity.

His Majesty the King of Sardinia, &c. &c. being restored to the full and entire possession of his Continental States, in the same manner as he possessed them on the 1st of January 1792, with the exception of the part of Savoy ceded to France by the Treaty of Paris of the 30th May 1814; and certain changes having since been agreed upon, during the Congress of Vienna, relative to the extent and limits of the said States; his Majesty the Emperor of Austria, and his Majesty the King of Sardinia, wishing to confirm and establish, by a formal Treaty, every thing relating to these points, have in consequence named for their Plenipotentiaries; viz. His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Clement-Venceslas-Lothaire, Prince de Meternich - Winnebourg - Ochsenhausen, Knight of the Order of the Golden Fleece, Grand Cross of the Royal Order of St. Stephen, Knight of the Orders of St. Andrew, of St. Alexander Newsky, and of St. Anne of the First Class; Grand Cordon of the Legion of Honour; Knight of the Order of the Elephant, of the Supreme Order of the Annunciation, of the Black Eagle and of the Red Eagle, of the Orders of the Seraphim, of St. Joseph of Tuscany, of St. Hubert, of the Orders of the Golden Eagle of Wurtemberg, of Fidelity of Baden, of St. John of Jerusalem, and of several others; Chancellor of the Military Order of Maria-Theresa, Curator of the Academy of the Fine Arts, Chamberlain, intimate and actual Counsellor of his Majesty the Emperor of Austria, his Minister of State, of Conferences, and of Foreign Affairs, his First Plenipotentiary at the Congress; and the Sieur John Philip, Baron de Wessenberg, Knight Grand Cross of the Military and Religious Order of St. Maurice and Lazarus, Chamberlain, and intimate and actual Counsellor of his Imperial and Royal Apostolic Majesty, his Second Plenipotentiary at the Congress; and his Majesty the King of Sardinia, &c. &c. the Sieurs Don Anthony Maria Philip Asinari, Marquis de St. Marsan and de Carial, Count de Castigliole, Cartosio and Castelletto, Val d'Erro, Knight Grand Cross of the Military and Religious Order of St. Maurice and Lazarus, of the Orders of the Black Eagle and of the Red Eagle of Prussia; Major-general of Cavalry, his Minister of State, and Principal Secretary for the War Department; and his First Plenipotentiary at the Congress; and Count Don Joachim Alexander Rossi, Knight Grand Cross, and Commander of the Royal and Military Order of St. Maurice and Lazarus, his Majesty's Counsellor, and his Envoy Extraordinary and Minister Plenipotentiary to the Court of his Imperial and Royal Apostolic Majesty, and his Second Plenipotentiary at the Congress; who, in virtue of the full powers produced by them at the Congress of Vienna, found to be in due and proper form, have agreed upon the following Articles:

ART. I. The frontiers of the States of his Majesty the King of Sardinia shall be, on the side of France, such as they were on the 1st of January 1792, with the exception of the changes effected by the Treaty of Paris of 30th May 1814. On the side of the Helvetic Confederation, such as they existed on the 1st of January 1792, with the exception of the change produced by the cession in favour of the Canton of Geneva, as specified in the 7th Article hereinafter inserted. On the side of the States of his Majesty the Emperor of Austria, such as they existed on the 1st of January 1792; and the Convention concluded between their Majesties the Empress Maria-Theresa and the King of Sardinia, on the 4th of October 1751, shall be reciprocally confirmed in all its stipulations. On the side of the States of Parma and Placentia, the frontier, as far it concerns the ancient States of the King of Sardinia, shall continue to be the same as it was on the 1st of January 1792. The borders of the former States of Genoa, and of the countries called Imperial Fiefs, united to the States of his Majesty the King of Sardinia, according to the following Articles, shall be the same as those which, on the 1st of January 1792, separated those countries from the States of Parma and Placentia, and from those of Tuscany and Massa. The island of Capraja, having belonged to the ancient Republic of Genoa, is included in the cession of the States of Genoa to his Majesty the King of Sardinia.

ART. II. The States which constituted the former Republic of Genoa, are united in perpetuity to those of his Majesty the King of Sardinia; to be, like the latter, possessed by him in full sovereignty and hereditary property, and to descend, in the male line, in the order of primogeniture, to the two branches of his House, viz. the Royal Branch, and the Branch of Savoy Carignan.

ART. III. The King of Sardinia shall add to his present titles, that of Duke of Genoa.

ART. IV. The Genoese shall enjoy all the rights and privileges specified in the Act, intituled " A. A. Conditions which are to serve as the bases of the union of the Genoese States to those of his Sardinian Majesty," and the said Act shall be considered as an integral part of the present Treaty, and shall have the same force and validity, as if it were textually inserted in the present Article.

ART. V. The countries called Imperial Fiefs, formerly united to the ancient Ligurian Republic, are definitively united to the States of his Majesty the King of Sardinia, in the same manner as the rest of the Genoese States; and the inhabitants of these countries shall enjoy the same rights and privileges as those of the States of Genoa, specified in the preceding Article.

ART. VI. The right that the Powers who signed the Treaty of Paris of the 30th May 1814, reserved to themselves, by the 3d Article of that Treaty, of fortifying such points of their States as they might judge proper for their safety, is equally reserved, without restriction, to his Majesty the King of Sardinia.

ART. VII. His Majesty the King of Sardinia cedes to the canton of Geneva, the districts of Savoy specified in the Act annexed, intituled " B. B. Cession made by his Majesty the King of Sardinia to the canton of Geneva," and on the conditions specified in the same Act. That Act shall be considered as an integral part of the present Treaty, and shall have the same force and validity as if it were textually inserted in the present Article.

ART. VIII. The provinces of Chablais and Faucigny, and the whole of the territory of Savoy to the north of Ugine, belonging to his Majesty the King of Sardinia, shall form a part of the neutrality of Switzerland, as recognized and guaranteed by all the Powers. Whenever, therefore, the neighbouring Powers to Switzerland are in a state of open or impending hostility, the troops of his Majesty the King of Sardinia, which may be in those provinces, shall retire, and may for that purpose pass through the Vallais, if necessary. No other armed troops of any other Power, shall have the privilege of passing through, or remaining in the said territories and provinces, excepting those which the Swiss Confederation shall think proper to place there; it being well understood, that this state of things shall not in any manner interrupt the administration of these countries, in which the civil agents of his Majesty the King of Sardinia may likewise employ the municipal guard for the preservation of good order.

ART. IX. The present Treaty shall form part of the definitive arrangements of the Congress at Vienna.

ART. X. The ratifications of the present Treaty shall be exchanged in six weeks, or sooner, if possible. In faith of which the respective Plenipotentiaries have signed the present Treaty, and have affixed thereunto the seal of their arms. Done at Vienna the 20th of May, 1815.

Signed (L. S.) *The Prince de Metternich.*
(L. S.) *The Marquis de St. Marsan.*
(L. S.) *The Baron de Wessenberg.*
(L. S.) *The Count Rossi.*

[N. B.]—The same Treaty has been concluded and signed between his Majesty the King of Sardinia and the Courts of London, Berlin, Petersburg, and Paris.]

ACT, No. XIV.—*A. A. Conditions annexed to Article IV. of the Treaty of the 20th May 1815, which are to serve as the bases of the union of the Genoese States, to those of his Sardinian Majesty.*

ART. I. The Genoese shall, in every respect be placed upon the same footing with the other subjects of the King. They shall be equally eligible with them to civil, judicial, military, and diplomatic employments of the monarchy; and, excepting the privileges which are hereafter granted and guaranteed to them, they shall be subject to the same laws and regulations, with such modifications as his Majesty shall judge it expedient to introduce. The Genoese nobility shall be admitted, equally with the nobility of the other parts of the monarchy to the principal offices and employments of the Court.

ART. II. The Genoese military, at present composing the troops of Genoa, shall be incorporated with the royal troops; the officers and non-commissioned officers shall retain their respective ranks.

ART. III. The arms of Genoa shall be introduced in the royal escutcheon, and its colours into the flag of his Majesty.

ART. IV. The free port of Genoa shall be re-established, with the regulations which existed under the ancient government of Genoa. Every facility shall be given by the King to the transit, through his states, of merchandize proceeding from that free port, under such restrictions as his Majesty shall judge expedient for preventing the said merchandise being illicitly sold or consumed in the interior. It shall be subject only to the usual moderate duty.

ART. V. A Provincial Council shall be established in the district of each Intendant, composed of thirty members, chosen from among the most respectable individuals of each class, out of a list of 300 persons of the greatest note in each district. They shall be named, in the first instance, by the King, and renewed in the same manner, by fifths, every two years. The retirement of the four first-fifths shall be decided by ballot. The organization of these Councils shall be regulated by his Majesty. The President named by the King need not be selected from the Council; in such case, he shall not possess the right of voting. The members cannot be re-elected until four years after their retirement. The council shall attend only to the wants and claims of the communes of the Intendancy, as to what concerns their particular administration, and shall be allowed to make representations on the subject. It shall assemble each year at the principal place of the intendancy, at such period and for such length of time as his Majesty shall determine. His Majesty shall have the right of assembling it upon extraordinary occasions, should he think fit. The Intendant of the province, or he who supplies his place, shall have the right of a seat in the Assembly, as the King's Commissioner. Whenever the exigencies of the State shall require the levy of new taxes, the King shall assemble the different Provincial Councils in such city of the ancient Genoese territory as he shall appoint, and under the presidency of such person as he shall have delegated for that purpose. The president, when not chosen from the Council, shall not have a deliberative vote. The King shall not send to the Senate of Genoa, for registration any edict having for its object the imposing of extraordinary taxes, until the assent of the Provincial Councils, assembled as above, shall have been received. A majority of one vote shall determine the question in the Provincial Councils, whether assembled separately or together.

ART. VI. The *maximum* of taxes, which his Majesty shall have the right to establish in the States of Genoa, without consulting the united Provincial Councils, shall not exceed the proportion actually established in the other parts of his dominions; the taxes at present levied, shall be regulated by this standard, and his Majesty reserves to himself to make such modifications as his wisdom and his goodness towards his Genoese subjects, may dictate with respect to what assessment should be made, whether upon land, or for direct or indirect taxes. The *maximum* of taxation being thus regulated, whenever the exigencies of the State shall require the levy of new taxes or extraordinary duties, his Majesty shall refer to the Provincial Councils for their vote of approbation, for the sum which he shall judge it proper to propose, and for the description of tax to be established.

ART. VII. The public debt, such as it legally existed under the late French Government, is guaranteed.

ART. VIII. Pensions, both civil and military, granted by the State, according to the laws and regulations, shall be continued to all Genoese subjects living in his Majesty's States. Under the same conditions, those pensions shall be continued which have been granted to the clergy, or to individuals of both sexes formerly belonging to religious institutions; as well as those, which, by way of relief, have been granted to Genoese Nobles by the French government.

ART. IX. A grand Court of Justice or Supreme Tribunal shall be established at Genoa, with the same powers and privileges as those of Turin, Savoy, and Nice, and which, like them, shall be called a Senate.

ART. X. The gold and silver currency of the ancient State of Genoa, actually in circulation, shall be received at the public offices equally with Piedmontese coins.

ART. XI. The levies of troops, called Provincial Levies, in the country of Genoa, shall not exceed the proportion of those in the other States of his Majesty. The naval and military services shall be calculated alike.

ART. XII. His Majesty shall raise a Genoese company of body guards, which shall form a fourth company of his guards.

ART. XIII. His Majesty shall establish at Genoa a municipal body, composed of forty Nobles, twenty citizens of independent property, or following any liberal profession, and twenty of the principal merchants. The first appointments shall be made by the King, and the vacancies shall be filled up by the Municipal Body itself, subject to the King's approbation. This body shall receive from the King its particular regulations with respect to its President and the division of its labours. The Presidents shall take the title of *Syndics*, and shall be chosen from among its members. The King reserves to himself, whenever he shall judge it proper, to appoint a person of the first distinction as President of the Municipal Body. The powers belonging to the Municipal Body shall be, the administration of the city revenues, the superintendance of the petty police of the city, and the care of its charitable institutions. A King's Commissioner shall assist at the sittings and deliberations of the Municipal Body. The members of this body shall wear a particular dress, and the *Syndics* shall have the privilege of wearing a robe or gown similar to that of the Presidents of Tribunals.

ART. XIV. The University of Genoa shall be continued, and shall enjoy the same privileges as that of Turin. His Majesty will consider of the means of providing for its wants. His Majesty shall take this establishment under his special protection, as well as the other institutions of instruction, education, the Belles Lettres, and charity, which shall also be maintained. His Majesty will preserve, to his Genoese subjects, the exhibitions which they enjoy in the college called the Lyceum, at the expense of Government; reserving to himself the adoption of such regulations upon this subject as he shall judge proper.

ART. XV. The King shall preserve to Genoa, a tribunal and a Chamber of Commerce, with the powers actually belonging to those two establishments.

ART. XVI. His Majesty shall take into his particular consideration, the situation of persons in the states of Genoa who are now in office.

ART. XVII. His Majesty will gladly receive the plans and propositions which may be presented to him upon the means of reestablishing the Bank of St. George. A true copy, of the original deposited in the Court and State Chancery at Vienna.

Signed (L. S.) *The Prince de Metternich.*

B. B.—*Cession, made by his Majesty the King of Sardinia, to the canton of Geneva.—Annexed to Article VII. of the Treaty of the 20th May* 1815.

ART. I. His Majesty the King of Sardinia places at the disposal of the High Allied Powers, that part of Savoy which is situated between the river Arve, the Rhone, the limits of that part of Savoy ceded to France, and Mount Salève, as far as Veiry inclusive, together with that part which lies between the high road, called that of the Simplon, the lake of Geneva, and the present territory of the canton of Geneva, from Vezenas to the point where the river of Hermance crosses the said road, and from thence, following the course of that river to where it enters the lake of Geneva, to the east of the village of Hermance (the whole of the road of the Simplon continuing to be possessed by his Majesty the King of Sardinia) in order that these countries shall be united to the canton of Geneva; with the reservation, however, of determining more precisely, by Commissioners respectively, their limits, particularly of that part which relates to the demarcation above Veiry, and on Mount Salève. His Majesty renounces, for himself and his successors, in perpetuity, all rights of sovereignty, and other rights, which may belong to him in all the places and territories comprised in this line of frontier, without exception or reservation.

ART. II. His Majesty consents that the communication between the canton of Geneva and the Vallais, by the road of the Simplon, shall be established, in the same manner as it has been agreed to by France, between Geneva and the canton of Vaud, by the route of Versoy. A free communication shall also be at all times granted for the Genevese troops, between the territory of Geneva and the jurisdiction of Jussy, and such facilities shall be allowed as may be necessary for proceeding by the lake to the road of the Simplon.

ART. III. On the other hand, his Majesty being averse to giving his consent that a part of his territory should be ceded to a state whose prevailing religion is different, without securing to the inhabitants of the country so ceded, the enjoyment of the free exercise of their religion, the means of keeping up their religious establishments, and the free enjoyment of all rights of citizenship; it is agreed, that, 1. The Roman Catholic religion shall be maintained and protected, in the same manner as at present, in all the communes ceded by his Majesty the King of Sardinia, which are to be united to the canton of Geneva. 2. Those parishes which are neither dismembered nor divided by the new frontier line, shall retain their present boundaries, and shall be served by the same number of clergymen; and with regard to the detached portions, which are not sufficiently extensive to constitute a parish, application shall be made to the bishop of the diocese, to obtain their annexation to some other parish of the canton of Geneva. 3. If the number of Protestants in the said communes, ceded by his Majesty, is less than that of the Roman Catholics, the school-masters shall at all times be Roman Catholics. No Protestant place of worship shall be established, excepting one in the town of Carrouge. Two-thirds at least of the municipal officers shall be Roman Catholics; and of the three individuals who fill the office of Mayor and his two assistants, two shall always be Roman Catholics. In case the number of Protestants in any of the communes shall equal that of the Roman Catholics, they shall stand upon an equal footing, and shall be alternately elected to the Municipal Body and to the office of Mayor; in this case, however, there shall always be a Roman Catholic schoolmaster, even if there be a Protestant one established. The present Article is not intended to prevent Protestants, residing in a commune inhabited by Roman Catholics, from erecting at their own expense a private chapel, for the exercise of their religion, if they think proper; or from having likewise at their own expense, a Protestant schoolmaster, for the private education of their children. 4. The funds, revenues, and the administration of existing charitable donations and institutions shall remain untouched; and private individuals shall not be prevented from making new ones. 5. The new government shall continue the provision made by the present government, for the support of the clergy and of religious worship. 6. The Roman Catholic Church, now established at Geneva, shall be maintained, as at present, at the expense of the state, as the eventual laws of the constitution of Geneva have already decreed: a suitable establishment and provision shall be made for the clergyman. 7. The Roman Catholic communes and the parish of Geneva shall continue to form part of the diocese which is to govern the provinces of Chablais and Faucigny, unless it should be otherwise regulated by the authority of the Holy See. 8. In no case whatever shall the bishop be disturbed in his pastoral visits. 9. The inhabitants of the ceded territory are placed entirely on the same footing, in point of civil and political rights, with those of the city of Geneva: they shall enjoy these rights equally with them; excepting, however, the rights of property, of citizenship, or of the commune. 10. Roman Catholic children shall be received into the public schools; they shall not be instructed in matters of religion in common with the Protestants, but separately; and ecclesiastics of the Roman Catholic communion shall be appointed for this purpose. 11 The communal property, or property belonging to new communes, shall be preserved to them, and it shall continue to be administered as heretofore, and the revenues applied to their use. 12. These communes shall not be taxed more than the old ones. 13. His Majesty the King of Sardinia reserves to himself the right of representing to the Helvetic Diet, and of supporting by means of his diplomatic agents accredited to it, every claim to which the non-fulfilment of the above Articles might give rise.

ART. IV. All deeds of landed property, and documents concerning ceded matters, shall be given up by his Majesty the King of Sardinia to the canton of Geneva, as soon as possible.

ART. V. The Treaty concluded at Turin the 3d of June 1754, between his Majesty the King of Sardinia and the republic of Geneva, is hereby confirmed, with regard to all those Articles which are not at variance with the present transaction; but his Majesty, wishing to give the canton of Geneva a particular mark of his good will, consents, nevertheless, to annul that part of Article XIII. of the above Treaty, which denied to the citizens of Geneva, who at that time had establishments and property in Savoy, the privilege of making it their principal residence.

ART. VI. His Majesty, from the same motives, agrees to make arrangements with the canton of Geneva, in order to facilitate the conveyance, from his states, of articles, intended for the consumption of the town and canton.

ART. VII. An exemption from all duties of transit shall be granted for all merchandise and goods which, coming from the states of his Majesty the King of Sardinia and the free port of Genoa, shall traverse the road called the Simplon in its whole extent, through the Vallais and the state of Geneva. It is understood that this exemption is confined to the transit, and shall not extend, either to the tolls established for the maintenance of the road, or to duties levied on merchandise or goods intended to be sold or consumed in the interior. The same reservation shall apply to the communication granted to the Swiss between the Vallais and the canton of Geneva; and the different governments shall for this purpose take such measures as, by common agreement, they shall judge necessary, either for taxation, or for preventing contraband trade in their territories respectively. A true copy, of the original deposited in the Court and State Chancery of Vienna.

Signed (L. S.) *The Prince de Metternich.*

ACT, No. XV.—*Declaration of the Powers, on the Abolition of the Slave Trade, of the 8th February* 1815.

The Plenipotentiaries of the Powers who signed the Treaty of Paris of the 30th May 1814, assembled in conference,

Having taken into consideration that the commerce, known by the name of "the Slave Trade," has been considered, by just and enlightened men of all ages, as repugnant to the principles of humanity and universal morality; that the particular circumstances from which this commerce has originated, and the difficulty of abruptly arresting its progress, may have concealed, to a certain extent, what was odious in its continuance, but that at length the public voice, in all civilized countries, calls aloud for its prompt suppression; that since the character and the details of this traffic have been better known, and the evils of every kind which attend it, completely developed, several European governments have virtually come to the resolution of putting a stop to it, and that successively all the Powers possessing colonies in different parts of the world have acknowledged, either by Legislative Acts, or by Treaties, or other formal engagements, the duty and necessity of abolishing it;

That by a separate Article of the late Treaty of Paris, Great Britain and France engaged to unite their efforts at the Congress of Vienna, to induce all the Powers of Christendom to proclaim the universal and definitive Abolition of the Slave Trade;

That the Plenipotentiaries assembled at this Congress cannot do greater credit to their mission, better fulfil their duty, and manifest the principles which actuate their august Sovereigns, than by endeavouring to carry this engagement into effect, and by proclaiming, in the name of their Sovereigns, their wish of putting an end to a scourge, which has so long desolated Africa, degraded Europe, and afflicted humanity;

The said Plenipotentiaries have agreed to open their deliberations, on the means of accomplishing so salutary an object, by a solemn Declaration of the principles which have governed them in this undertaking; accordingly, being duly authorized for this purpose, by the unanimous accession of their respective Courts to the principle laid down in the said Separate Article of the Treaty of Paris; they declare, in the face of Europe, that, considering the universal Abolition of the Slave Trade as a measure particularly worthy of their attention, conformable to the spirit of the times, and to the generous principles of their august Sovereigns, they are animated with the sincere desire of concurring in the most prompt and effectual execution of this measure, by all the means at their disposal; and of acting, in the employment of these means, with all the zeal and perseverance which is due to so great and noble a cause.

Too well acquainted, however, with the sentiments of their Sovereigns, not to perceive, that however honourable may be their views, they cannot be attained without due regard to the interests, the habits, and even the prejudices of their subjects; the said Plenipotentiaries at the same time acknowledge that this general Declaration cannot prejudge the period that each particular Power may consider as most advisable for the definitive Abolition of the Slave Trade. Consequently, the determining the period when this trade is to cease universally, must be a subject of negociation between the Powers; it being understood, however, that no proper means of securing its attainment, and of accelerating its progress, are to be neglected; and that the engagement reciprocally contracted in the present Declaration, between the Sovereigns who are parties to it, cannot be considered as completely fulfilled, until the period when complete success shall have crowned their united efforts.

In communicating this Declaration to the knowledge of Europe, and of all civilized countries, the said Plenipotentiaries hope to prevail on every other government, and particularly on those which, in abolishing the Slave Trade, have already manifested the same sentiments, to give them their support in a cause, the final triumph of which will be one of the noblest monuments of the age which embraced it, and which shall have brought it to a glorious termination.

Vienna the 8th of February 1815.

Signed *Castlereagh.*
Stewart, Lieut. Gen.
Wellington.
Nesselrode.
C. Lowenhielm.
Gomez Labrador.
Palmella.
Saldanha.
Lobo.
Humboldt.
Metternich.
Talleyrand.

ACT, No. XVI.—*Regulations for the Free Navigation of Rivers.*

Articles concerning the Navigation of the Rivers which, in their Navigable Course, separate or cross different States.

(General Arrangements.)

ART. I. The Powers whose states are separated or traversed by the same navigable river, engage to regulate, by common consent, all that regards its navigation. For this purpose they will name Commissioners, who shall assemble, at latest within six months after the termination of Congress, and who shall adopt as the bases of their proceedings, the following principles;

(Principles.—Liberty of Navigation.)

ART. II. The navigation of the rivers, along their whole course, referred to in the preceding Article, from the point where each of them becomes navigable, to its mouth, shall be entirely free, and shall not, in respect to commerce, be prohibited to any one; it being, however, understood, that the regulations established with regard to the police of this navigation, shall be respected; as they will be framed alike for all, and as favourable as possible to the commerce of all nations.

(Uniformity of System.)

ART. III. The system that shall be established, both for the collection of the duties and for the maintenance of the police, shall be, as nearly as possible, the same along the whole course of the river; and shall also extend, unless particular circumstances prevent it, to those of its branches and junctions, which, in their navigable course, separate or traverse different states.

(Tarif.)

ART. IV. The duties on navigation shall be regulated in an uniform and settled manner, and with as little reference as possible to the different quality of the merchandise, in order that a minute examination of the cargo may be rendered unnecessary, except with a view to prevent fraud and evasion. The amount of the duties, which shall in no case exceed those now paid, shall be determined by local circumstances, which scarcely allow of a general rule in this respect. The Tarif shall, however, be prepared in such manner as to encourage commerce by facilitating navigation, for which purpose the duties established upon the Rhine, and now in force on that river, may serve as an approximating rule for its construction. The Tarif once settled, no increase shall take place therein, except by the common consent of the states bordering on the rivers; nor shall the navigation be burthened with any other duties than those fixed in the regulation.

(Offices for the collection of Duties.)

ART. V. The offices for the collection of duties, the number of which shall be reduced as much as possible, shall be settled in the above regulation; and no change shall afterwards be made but by common consent, unless any of the States bordering on rivers should wish to diminish the number of those which exclusively belong thereto.

(Towing Paths.)

ART. VI. Each State bordering on the rivers, shall be at the expense of keeping in good repair the towing-paths which pass through its territory, and of maintaining the necessary works through the same extent in the bed of the river, in order that no obstacle may be experienced in the navigation. The intended regulation shall determine the manner in which the States bordering on rivers are to participate in these latter works, where the opposite banks belong to different Governments.

(Harbour Duties.)

ART. VII. There shall no where be established store-house, port, or forced harbour duties: those already existing shall be preserved for such time only as the States bordering on the rivers (without regard to the local interest of the place or the country where they are established) shall find them necessary or useful to navigation and commerce in general.

(Custom-houses.)

ART. VIII. The custom-houses belonging to the States bordering on rivers shall not interfere in the duties of navigation. Regulations shall be established to prevent officers of the customs, in the exercise of their functions, throwing obstacles in the way of the navigation: but care shall be taken, by means of a strict police, on the bank, to preclude every attempt of the inhabitants to smuggle goods, through the medium of boatmen.

(Regulation.)

ART. IX. Every thing expressed in the preceding Articles shall be settled by a general arrangement, in which there shall also be comprised whatever may need any ulterior determination. The arrangement once settled, shall not be changed, but by and with the consent of all the States bordering on rivers, and they shall take care to provide for its execution, with due regard to circumstances and locality.

Signed. *D'Alberg.*
Clancarty.
Humboldt.
Wessenberg.

Articles concerning the Navigation of the Rhine.

ART. I. The navigation of the Rhine, along its whole course, from the point where it becomes navigable to the sea, either in ascending or descending, shall be entirely free, and shall not, in respect to commerce, be prohibited to any one: due regard, however, being had to the regulations established with respect to its police, which shall be framed alike for all, and as favourable as possible to the commerce of all nations.

ART. II. The system to be adopted for the collection of the duties, as well as for the maintenance of the police, shall be the same along the whole course of the river, and shall extend, as far as circumstances may permit, to those of its branches and junctions which, in their navigable course, separate or traverse different States.

ART. III. The tarif of duties to be levied on merchandize conveyed along the Rhine shall be so regulated that the whole amount of duty to be paid between Strasbourg and the frontier of the kingdom of the Netherlands, shall be, in passing up the river two francs, and in passing down the river one franc and 33 centimes, per hundred-weight; and that the levying of this tarif shall be extended (increasing the amount of duty in the same proportion) to the distances between Strasbourg and Basle, and between the frontier of the kingdom of the Netherlands and the mouths of that river. The duty of *reconnoisance* shall remain as fixed by Article 94 of the Convention, relative to duties on the navigation of the Rhine concluded at Paris the 15th of August 1804; with the reservation, however, of making such other alteration in the scale of duties, as that boats from 2500 to 5000 quintals, shall be included therein. But this duty shall also extend, in the same proportion, to the above-mentioned distances. The abatements of the general Tarif, which established the *maximum* of duties fixed by Articles 102 and 105 of the Convention of the 15th August 1804 shall remain in force; but the Commission to be charged with settling the new regulations shall consider whether their distribution into different classes will not require alterations still more favourable, as well to navigation and commerce, as to agriculture and the wants of the inhabitants of the States of the Rhine.

ART. IV. The tarif thus settled shall not be augmented but by mutual consent, and the Governments on the Rhine, adopting for a principle, that their true interest consists in encouraging the commerce of their States, and that the duties on navigation should chiefly be appropriated to defraying the expenses of its preservation; formally engage not to increase the same but for the most just and urgent reasons, nor to impose any other duties whatever on navigation, in addition to those fixed by the present regulations, under any denomination or pretext whatsoever.

ART. V. There shall be only twelve offices for the collection of duties, throughout the whole extent of the Rhine between Strasbourg and the frontier of the kingdom of the Netherlands: and those which it may be expedient to establish between Strasbourg and Basle shall be fixed, according to the same principles, and at proportionate distances. The offices shall be placed in the most convenient manner for navigation, and their number shall be settled by common consent. Each State bordering on the river shall, however, be allowed to diminish the number exclusively assigned to it by the existing arrangement.

ART. VI. The duty shall be collected, in each state bordering on the river, on its own account and by its own collectors; the whole of the duties being distributed in proportion to the extent of the respective possessions of the different States on the bank. The collectors shall make oath to observe strictly, the regulation definitively agreed upon. If the same office is employed by two or more States, the proceeds shall be divided between them according to the extent of their respective possessions on the bank; this rule shall also apply in case the opposite banks should belong to two different States. Every thing relating to the establishment of the offices, to the mode of collecting, and of verifying the payment of the duties, shall be settled in an uniform manner by the definitive regulation, and shall not be changed but by common consent.

ART. VII. Each State of the Rhine shall be at the expense of keeping the towing-paths which pass through its territory in good repair, and of maintaining the necessary works through the same extent in the channel of the river, in order that no obstacle may be experienced to the navigation.

ART. VIII. A judicial authority shall be attached to each office for the collection of duties, for the purpose of investigating and determining, agreeably to the regulation, in the first *instance*, all disputes relating to the objects therein mentioned. These judicial authorities shall be maintained at the expense of that State of the Rhine in which they are situated, and shall pronounce sentence in the name of their Sovereigns; but the individuals who compose them, shall make oath strictly to observe the regulation, and the Judges shall not be deprived of their situations unless by a regular and formal process, and by a judgment given against them Their proceedings shall be determined in the regulation, and shall be uniform along the whole course of the Rhine, and as summary as possible. Where an office for the collection of duties shall belong to more than one State, individuals invested with the judicial functions shall be nominated by the Sovereign in whose territory the office in question is situated, and judgment shall be given in his name; but the expenses shall be defrayed by those States who divide the receipts of such office, and in proportion to the share which accrues to them.

ART. IX. Parties wishing to appeal against the decisions of the courts of justice specified in the preceding Article, shall have the option of applying for this purpose to the Central Commission hereafter mentioned, or to the Superior Tribunal of the country in which the court of first *instance*, before which they shall have pleaded, is situated. Each State of the river engages to establish a similar tribunal of second *instance*, or to refer the decision of causes of this nature to one of those already existing. These tribunals shall likewise make oath to observe the law concerning navigation. Their organization and mode of proceeding shall form part of the regulation, and they shall not hold their meetings in a town situated too far from the bank of the Rhine. The regulation shall contain the particular arrangements for that purpose. Their sentences shall be final, and no further appeal shall be allowed.

ART. X. In order to establish a perfect controul over the observance of the general regulation, and to constitute an authority which may serve as a means of communication between the States of the Rhine upon all subjects relating to navigation, a Central Commission shall be appointed.

ART. XI. Each State bordering on the Rhine shall name a Commissioner for its formation; and it shall assemble regularly at Mentz on the 1st November in each year. They shall judge according to circumstances, and the business upon which they may have to decide, whether after this session, it will be necessary to hold another in the spring. The President, who without any other prerogative, shall be employed in the general management of the labours of the Commission, shall be chosen by ballot, and replaced every month, in case the session should be prolonged. Another member of the Commission, who shall be chosen by the members, shall keep the minutes of their proceedings.

ART. XII. In order that a permanent authority may exist, which, in the absence of the Central Commission may superintend the observance of the regulation, and to which the merchants and boatmen may at all times refer, there shall be named a Chief Inspector and three Deputy Inspectors. The Chief Inspector shall also reside at Mentz; the Deputy Inspectors shall be appointed for the Upper, Middle, and Lower Rhine.

ART. XIII. The Chief Inspector shall be chosen by the Central Commission, by a majority of votes, but in the following manner; a certain number of votes shall be given; of which the Prussian Commissioner shall have one-third; the French Commissioner one-sixth; the Commissioner of the Netherlands, one-sixth; and that of the other German

Princes, excepting Prussia, one third. The distribution of the votes of these Princes shall be regulated as soon as the whole bank of the Rhine shall have been finally disposed of; but the distribution shall be made proportionately to the extent of their respective possessions on the bank. The three Deputy Inspectors shall be chosen; the first by Prussia, the second, alternately by France and the Netherlands, and the third by the other German Princes, joint possessors of the bank, who shall agree upon the mode of making this appointment.

ART. XIV. The appointments, as well of the Chief Inspector as of the Deputy Inspectors, shall be for life. If the Commission should deem it expedient to remove one of its officers, from being dissatisfied with his services, it shall be put to the vote whether he shall be merely replaced by another, or brought to trial. In the former case, which likewise applies to retirement in consequence of infirmity, the individual shall retire upon a pension, amounting to half his salary, should he not have served ten years; and two-thirds of it if he has served ten years or upwards. This pension shall be paid in the same manner as the salary. In the second case, the Commission shall determine, in the manner prescribed by Article 17, by which courts of the first and second *instance* he shall be tried. The individual shall be entitled to the pension if he is fully acquitted; and on the other hand, he shall be proceeded against according to the sentence which shall have been passed upon him. Whenever the Commission shall vote upon the question of removing any of the Inspectors, the votes shall be given in the manner determined upon in the 13th Article; but the individual cannot be deprived of his situation, unless two-thirds of the number of votes determined upon, shall be against him.

ART. XV. The duties of the Chief Inspector, assisted by the Deputy Inspectors, are to superintend the fulfilment of the regulation, and to arrange every thing relating to the police of the navigation. It will therefore be his right and his duty to issue orders on this subject to the offices for collecting duties, and to communicate with the other local authorities of the States bordering on the Rhine. Persons employed in the offices, and the local authorities, shall obey and assist him in every thing concerning the observance of the regulation, and shall not oppose the execution of his orders, unless he shall exceed the limits of his authority. In this case, they shall immediately make it known to their superiors. The Chief Inspector shall likewise collect every information which may be necessary for the Central Commission regarding the state and defects of the navigation, and shall submit to them such measures as he may consider advisable to be adopted. On pressing occasions, he shall be at liberty, and it will be his duty, to hold a correspondence with its members, even when they are not sitting.

ART. XVI. The Central Commission shall direct the Inspectors to report to them an account of their proceedings; they shall assist them in their duties, and superintend the manner in which they are performed; they shall at the same time attend to all matters that may contribute to the general interests of navigation and commerce, and shall publish, at the close of every year, a detailed report of the state of the navigation of the Rhine, its annual movement, its progress, the changes which may take place, and of every thing relating to domestic and foreign commerce.

ART. XVII. The decisions of the Central Commission shall be had by an absolute majority of votes, which shall be given in perfect equality: but as its members should be considered as agents of the States of the Rhine, charged with making arrangements for their mutual interests, their decisions shall not be binding upon these States until their consent shall have been given by their Commissioners.

ART. XVIII. The salary of the Chief Inspector and of the Deputy Inspectors, but not that of the Commissioners, who may be merely temporary agents, shall be fixed by the regulation. It shall be at the joint expense of all the States bordering on the Rhine, who shall contribute in proportion to the part which they take in their nomination. The regulation shall contain every thing relating to the future establishment of the Central Commission, and of its permanent administration, and shall determine, in a precise and detailed manner, all its functions and privileges.

ART. XIX. The staple duties having been suppressed by Article 8 of the Convention of the 15th August 1804, that suppression is hereby extended to the duties which the towns of Mayence and Cologne levied, under the denomination of Harbour and Port Duties, and on breaking bulk, (*umschlag,*) so that individuals shall be at liberty to navigate along the whole course of the Rhine, from the point where it becomes navigable to where it falls into the sea, either in passing up or down the river, without being compelled to break bulk, or to remove the cargoes into another vessel, in any port, town, or place whatever.

ART. XX. A superintending Police shall, however, be appointed, for the prevention of fraud, where vessels are laden or unladen, as well as where cargoes are shifted; and the crane, quay, and storehouse duties, in places where such accommodations exist, or where they may hereafter be erected, shall be fixed by the regulation, in an uniform manner, and they shall not afterwards be augmented but by common consent.

ART. XXI. No company, much less any qualified boatman (in places where there are no companies) shall in any of the States of the Rhine, exercise any exclusive right of navigation on this river, or on any part of it. The subjects of any one of these States may continue to be members of a company in any other of the States.

ART. XXII. The custom-houses of the States of the Rhine, being unconnected with the duties on navigation, shall not interfere with the collection of the latter. The definitive regulation shall contain the necessary arrangements to prevent the superintending officers of the customs from throwing obstacles in the way of the navigation.

ART. XXIII. The custom-house boats, and small craft, shall bear the flag of the State to which they belong, but in order to denote their belonging to the customs, the word "*Rhenus*" shall be inscribed upon it.

ART. XXIV. The duties on the navigation of the Rhine shall never be farmed out either wholly or partially.

ART. XXV. No demand of exemption, or abatement of duties, shall be admitted, either by the Overseers of the Customs, or even by the Central Commission, whatever may be the nature, origin, or destination of the boats, effects, or merchandize, and to whatever individuals, bodies, towns, or States, either of them may belong, or for whatever service, or on whose account soever the same may be shipped.

ART. XXVI. If it should happen (which God forbid) that war should break out among any of the States of the Rhine, the collection of the customs shall continue uninterrupted, without any obstacle being thrown in the way by either party. The vessels, and persons employed by the custom-houses, shall enjoy all the rights of neutrality. A guard shall be placed over the offices and chests belonging to the customs.

ART. XXVII. The existing Commission, having been obliged to confine itself to the establishing of the most general principles, without entering into the details necessary to be regulated; all particular arrangements, and especially those relating to the Tarif of duties, to that adopted for merchandize in general, and also to that for goods which, being of a certain description, pay smaller duties; the situation of the offices for the collection of duties, their internal management, and mode of collection; the organization of judicial authorities of the first and second *instance*, and their mode of proceeding; the preservation of the towing paths, and the works in the bed of the river; the manifests; the guaging, and designation of boats and floats of wood; the weights, measures, and coins to be used, and their proportions and valuation; the police of the ports for shipping, unloading, or shifting cargoes; the companies of watermen, the requisite qualifications for watermen; the greater and lesser navigation, if such a distinction, which no longer exists in the sense given to it by the Convention of 1804, should be maintained, under other circumstances, and for other reasons; the scale of charges for freight; contraventions; the separation of offices for the navigation, of the custom-houses, &c. &c. shall be determined in the Definitive Regulations, which shall be framed in the manner hereafter mentioned.

ART. XXVIII. The regulations of the 9th, 14th, 17th, 19th and 20th Articles of the Principal Recess of the Extraordinary Deputation of the Empire of the 25th of February 1803, concerning the permanent rents, directly assigned upon the produce of the duties on the navigation of the Rhine, shall be continued. For this purpose;—1. The German Governments, joint possessors of the banks of the Rhine, charge themselves with the payment of the above rents; reserving, however, to themselves the power of purchasing such rents, according to the 30th Article of the Recess, either at 2½ per cent., or by any other arrangement upon which the parties concerned may mutually agree. 2. Cases are excepted from the general principle, concerning the payment of the rents mentioned in the preceding paragraph, where there shall exist peculiar and legal objections against the claiming of such rents. These cases shall be considered and determined upon, as mentioned in the following paragraph; 3. The adoption of the principle mentioned in the first paragraph, relative to the various claims, and the decisions concerning exceptions referred to in the second paragraph, shall be entrusted to a Commission, composed of five persons, whom the Court of Vienna, at the desire of the German Governments, joint possessors of the bank of the river, shall nominate; by choosing, as far as may be practicable, individuals who have been Members of the Aulic Council of the Empire, and are still here. This Commission shall settle this matter in the most just and equitable manner, and the Governments from whom such rents are due promise to abide by such decision, without any appeal or objection whatever. 4. The above-mentioned Commission shall inquire into the right of demanding arrears of rents, and shall decide on the principle, whether the possessors of the bank of the Rhine are liable to pay these arrears, or whether the application of this principle, if admitted by the Commission, applies to the various claims of arrears, in particular. Its labours shall terminate in three months from the day of its assembling. 5. If the Commission shall decide, that the arrears should be paid, and shall fix the instalments, the Central Commission shall regulate the mode of payment, in such manner that the debiting Governments shall have the option either of discharging the same in ten successive years, at the rate of one-tenth each year, or of transferring them, analogous to the 30th of the Recess, at 2½ per cent., into rents, in addition to those which the Governments to whom they belong actually possess. The Central Commission shall likewise decide whether, and in what proportion, France ought to contribute to the payment of these arrears. 6. All payments, decided on by the present Article, are to be made half yearly. The Central Commission shall fix the manner in which these payments shall be made, favouring, as much as possible, those to whom the said rents belong, and the debiting Governments shall contribute to them in proportion to their share of the duties. This proportion shall be definitively arranged by the Central Commission at its first meeting, on the average of the amount of a year's receipts of the different offices of collection which have existed during the first six years, from the time of the Convention of 1804 having been in force.

ART. XXIX. The regulations comprehended in the Articles LXXIII and LXXVIII, of the Convention of the 15th August 1804, concerning a fund to be appropriated to the payment of pensions on retirement, and to the relief of widows and children of government officers, the number of vacancies, and the right of superannuation, as well as the amount of the pensions, and the relief to be granted to widows and orphans, being intimately connected with the general receipt of duties, shall immediately cease, and the business of granting pensions on the retirement of officers of the customs, and relief to their widows and orphans, is left to the discretion of each particular State bordering on the river. The Central Commission shall nevertheless be employed immediately on its opening, in arranging with France the restitution of the fund, formed in virtue of the 73d Article of the Convention, for the drawback of 4 per cent. upon salaries, which has been paid into the sinking fund; and the French government engages to make the restitution, as soon as the amount of this fund shall have been liquidated by the Central Commission. This restitution being made, the Commission shall consider what pensions and relief are still to be paid out of this fund, and shall assign them, according to the principles established by the Convention of 1804. Individuals who have been employed in the tax-office, and to whom, in consequence of the new arrangements, proper situations cannot be given, or who shall allege such reasons for not accepting such situations as the Central Commission shall deem sufficient, shall have pensions and allowances granted to them, conformably to the principles established by the 59th Article of the recess of the empire of 1803.

ART. XXX. The pensions granted to the receivers of duties, discontinued by the 39th Article of the recess of 1803, shall be paid by the German governments, joint possessors of the bank of the river. Those which have been legally granted since the period at which the duties on navigation have been in force, shall also be paid; but the Central Commission shall investigate and determine in what proportion the governments, joint proprietors of the bank, (the kingdom of the Netherlands, however, excepted,) shall contribute to these payments. It shall discharge the amount of all these pensions, and finally settle the scale by which such payments shall be regulated. The payment of these pensions, as well as of those mentioned in the 29th Article, shall be regulated in the manner fixed by the 6th paragraph of the 28th Article, for the payment of rents.

ART. XXXI. As soon as the general principles for the navigation of the Rhine shall have been laid down by the Congress, the States of the Rhine shall appoint persons for the formation of the Central Commission; and this Commission shall assemble at latest on the 1st of June of this year, at Mayence. At the same time the present Provincial Administration shall deliver up the direction with which they have been charged, to the Central Commission, and to the authorities of the States of the Rhine; the partial collection of the duties shall be substituted for the general collection, and they shall publish, in the name of all the States of the Rhine, a temporary instruction, by which it shall be ordered, that until the completion and final approval of the new regulation, the Convention of the 15th August 1804 shall be observed; it being distinctly pointed out, which of its Articles are already annulled by the present arrangements, and what other arrangements ought immediately to be adopted in lieu of them.

ART. XXXII. As soon as the Central Commission shall have assembled it shall occupy itself; 1. In drawing up the regulations for the navigation of the Rhine. It is sufficient to observe here, that the present Articles shall serve as a guide to them, and that the points which the regulations are to embrace, are mentioned as well in the present instrument, as in the Convention of the 15th August 1804, and that care must be taken to retain whatever is good and useful in that Convention. When the regulations are completed, they shall be submitted to the governments of the Rhine for their approbation and until such approbation shall have been given, the new order of things shall not commence, nor shall the Central Commission enter upon its regular duties. 2. In acting for the present Central Administration, where it shall be necessary, until the publication of the new regulations.

Signed,
D'Alberg.
Clancarty.
Wrede.
Turckheim.
Berckheim.
De Marschall.
Spaen.
Humboldt.
Wessenberg.

Articles concerning the Navigation of the Necker, the Mayne, the Moselle, the Meuse, and the Scheldt.

ART. I. The same freedom of navigation that has been granted for the Rhine, shall be extended to the Necker, the Mayne, the Moselle, the Meuse, and the Scheldt, from the point where each of them becomes navigable, to their mouths.

ART. II. Storehouse and forced harbour duties, on the Necker and the Mayne, are and shall continue abolished, and all qualified watermen shall be allowed to navigate along the whole extent of these rivers, in the same manner that such liberty has been restored, by Article XIX. on the Rhine.

ART. III. The tolls levied on the Necker, and the Mayne shall not be increased; on the contrary, the governments, joint possessors of the bank, engage to reduce them, in case they should exceed the Tarifs in use in 1802, to the rates of those Tarifs. They likewise engage not to burthen navigation by any new imposts whatever, and will meet, as soon as possible, to arrange a Tarif as similar to the duties levied on the Rhine, as circumstances may permit.

ART. IV. The duties now levied on the Moselle and the Meuse, in pursuance of the decree of the French government of the 12th November 1806, and of the 10th Brumaire of the year 14, shall not be increased; on the contrary, the governments, joint possessors of the bank, engage to reduce them, in case they are higher than those levied on the Rhine, to the same rate. This engagement not to increase the present Tarifs, refers, however, only to the amount and *maximum* of duties; the governments expressly reserving to themselves the power of fixing, by new regulations, every thing relative to the division into different classes of such merchandize as is subject to a lower Tarif; to the difference now established for passing up and down the river at the custom-houses; to the mode of collection; to the police of the navigation; or to any other subject requiring ulterior determination. This regulation shall be made to correspond, as nearly as possible, with that of the Rhine; and the better to insure such uniformity, it shall be drawn up by those members of the Central Commission of the Rhine, whose governments shall also have possessions on the banks of the Moselle and the Meuse. No increase shall take place in the Tarif, to be finally settled by the new regulation, unless a similar increase shall be considered necessary on the Rhine, and that only in the same proportion; and no other part of the regulation shall be altered but by common consent.

ART. V. The States of the rivers specified in the 1st Article, engage to keep the towing-paths in repair, as well as the necessary works in the beds of the rivers, in the same manner as agreed upon in the 7th Article for the Rhine.

ART. VI. The subjects of the States of the rivers Necker, the Mayne, and the Moselle, shall enjoy the same rights of navigation on the Rhine, and Prussian subjects on the Meuse, as the subjects of the States of the two last rivers; paying due regard, however, to the regulations therein established.

ART. VII. Every thing relating to the navigation of the Scheldt, which may need ulterior arrangement, besides the freedom of navigation on this river, specified in the 1st Article, shall be definitively regulated in a manner the most favourable to commerce and navigation, and the most analogous to the regulations established on the Rhine.

Signed, *D'Alberg.*
Count Keller.
Clancarty.
Wrede.
Turckheim.
Danz.
Berckheim.
De Marschall.
Spaen.
The Baron Linden, subject to the approbation of his Majesty the King.
Wessenberg.

ACT, No. XVII.—*Regulation concerning the Precedence of Diplomatic Agents.*

In order to prevent in future the inconveniencies which have frequently occurred, and which may still occur, from the claims of precedence, among the different diplomatic characters, the Plenipotentiaries of the Powers who signed the Treaty of Paris have agreed on the following Articles, and think it their duty to invite those of the other crowned heads to adopt the same regulations.

ART. I. Diplomatic characters are divided into three classes. That of Ambassadors, Legates or Nuncios. That of Envoys, Ministers, or other persons accredited to Sovereigns. That of Chargé d'Affaires, accredited only to the Ministers for Foreign Affairs.

ART. II. Ambassadors, Legates or Nuncios, only, shall have a representative character.

ART. III. Diplomatic characters, charged with any special mission, shall not, on that account, assume any superiority of rank.

ART. IV. Diplomatic characters shall rank in their respective classes, according to the date of the official notification of their arrival. The present regulation shall not occasion any change respecting the representatives of the Pope.

ART. V. There shall be a regular form adopted by each State for the reception of diplomatic characters of every class.

ART. VI. Ties of consanguinity, or family alliances between Courts, confer no rank on their diplomatic agents. The same rule also applies to political alliances.

ART. VII. In Acts or Treaties between several Powers that admit the alternity, the order which is to be observed in the signatures of Ministers shall be decided by ballot. The present regulation is inserted in the Protocol of the Plenipotentiaries of the eight Powers who signed the Treaty of Paris, at their sitting of the 19th March 1815. (The signatures follow in the alphabetical order of the Courts.) Signed,

AUSTRIA,	*The Prince de Metternich.* *The Baron de Wessenberg.*
SPAIN ESPAGNE,	*P. Gomez Labrador.*
FRANCE,	*The Prince de Talleyrand.* *The Duke D'Alberg.* *Latour du Pin.* *The Count Alexis de Noailles.*
GREAT BRITAIN,	*Clancarty.* *Cathcart.* *Stewart,* Lt. G.
PORTUGAL,	*The Count Palmella.* *Saldanha.* *Lobo.*
PRUSSIA,	*Prince Hardenberg.* *Baron Humboldt.*
RUSSIA,	*Count Rasoumoffsky.* *Count Stackelberg.* *Count Nesselrode.*
SWEDEN,	*Lowenhielm.*

TREATIES OF ACCESSION AND OF SUBSIDY.] Lord Castlereagh also presented a Paper intituled, "CLASS A.—"Treaties of Accession and of Subsidy, "between Great Britain and other Powers, "in virtue of the Treaty of Alliance be-"tween Great Britain, Austria, Russia "and Prussia, signed at Vienna, 25th "March 1815"* with Translations. The following is a List of the said Papers:

TREATIES OF ACCESSION.

1. *Baden, signed at Vienna,* 13 *May,* 1815.
2. *Bavaria,* 15 *April.*
3. *Denmark, signed at Paris,* 1 *September.*
   Translation of the preceding, 1 *September.*
4. *Hanover, signed at Vienna,* 7 *April.*
5. *Hesse (Grand Duke),* 23 *May.*
6. *Netherlands,* 28 *April.*
7. *Portugal,* 8 *April.*
8. *Sardinia,* 9 *April.*
9. *Saxony,* 27 *May.*
10. *Switzerland, signed at Zurich,* 20 *May.*
    Translation of the preceding, 20 *May.*
11. *Wurtemberg, signed at Vienna,* 30 *May.*
12. *Princes and Free Towns of Germany,* 27 *April.*

TREATIES OF SUBSIDY.

1. *Baden, signed at Brussels,* 19 *May,* 1815.
2. *Bavaria,* 7 *June.*
3. *Denmark, signed at Paris,* 14 *July.*
4. *Hanover,* 26 *August.*
5. *Hesse (Grand Duke),* 15 *July.*
6. *Sardinia, signed at Brussels,* 2 *May.*
7. *Saxony, signed at Paris,* 14 *July.*
8. *Wurtemberg, signed at Brussels,* 6 *June.*

PRINCES AND FREE TOWNS OF GERMANY, viz.

9. *Anhalt-Dessau, Bernbourg, and Cœthen, signed at Paris,* 10 *July,* 1815.
10. *Brunswick-Luneburg,* 28 *August.*
11. *Frankfort on the Maine,* 1 *August.*
12. *Hesse (Elector),* 15 *July.*
13. *Holstein-Oldenburgh,* 5 *September.*
14. *Hohenzollern-Hechingen and Sigmaringen,* 1 *August.*
15. *Lubeck, Hamburgh, and Bremen,* 21 *July.*
16. *Mecklenburgh-Schwerin,* 29 *July.*
17. *Mecklenburg-Strelitz,* 8 *August.*
18. *Nassau, signed at Brussels,* 16 *June.*
19. *Reuss, signed at Paris,* 1 *August.*
20. *Saxe-Coburg, Meinungen, and Hildburghausen, signed at Brussels,* 15 *June.*
21. *Saxe-Gotha and Altenburg, signed at Paris,* 1 *August.*
22. *Saxe-Weimar and Eisenach,* 1 *August.*
23. *Schaumburg-Lippe and Lippe,* 1 *August.*
24. *Schwartzburg-Sondershausen and Rudelstadt,* 1 *August.*
25. *Waldeck and Pyrmont,* 1 *August.*
    Additional Convention with Russia, signed at Paris, 4 *October.*
    Translation of Ditto.

VARIOUS TREATIES AND CONVENTIONS CONCLUDED BETWEEN GREAT BRITAIN AND OTHER POWERS IN THE YEAR 1815.] Lord Castlereagh also presented a Paper, intituled, "CLASS B.—"Various Treaties concluded between "Great Britain and other Powers, in the "Year 1815," with Translations. Of which the following are Copies:

CLASS B.

VARIOUS TREATIES.

concluded between

GREAT BRITAIN AND OTHER POWERS IN THE YEAR 1815.

1. *Convention between Great Britain and Portugal, respecting the Slave Trade, signed at Vienna,* 21 *January,* 1815.

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* For a Copy of this Treaty, see Vol. 31, p. 303.

2. *Treaty between Great Britain and Portugal, on the same subject,* 22 *January.*
3. *Convention between Great Britain and France relative to the East Indies, signed at London,* 7 *March.*
4. *Convention between Great Britain, Russia, and the Netherlands, respecting the Russian Loan in Holland,* 19 *May.*
5. *Treaty between Great Britain and Sardinia, respecting the Sardinian territories, signed at Vienna,* 20 *May.*
6. *Treaty between Great Britain and the Netherlands, respecting the territories of the King of the Netherlands,* 31 *May.*
7. *Convention between Great Britain and Austria, concerning the custody of Napoleon Buonaparté, signed at Paris,* 2 *August.*
   Translation of Ditto, 2 *August.*
8. *Convention between Great Britain and Russia, on the same subject,* 2 *August.*
   Translation of Ditto, 2 *August.*
9. *Convention between Great Britain and Prussia, on the same subject,* 2 *August.*
   Translation of Ditto, 2 *August.*
10. *Convention between Great Britain and the United States of America, for regulating the commerce between the two countries, signed at London,* 3 *July.*
11. *Convention between Great Britain and the Netherlands, concerning the late Dutch West India Colonies,* 12 *August.*
12. *Treaty between Great Britain and Saxony, respecting the territories of Saxony and Warsaw, signed at Paris, September.*

No. I.—PORTUGAL.—*Convention between Great Britain and Portugal, respecting the Slave Trade, signed at Vienna* 21*st January* 1815.

In the Name of the Most Holy and Undivided Trinity.

His Britannic Majesty and his Royal Highness the Prince Regent of Portugal, being equally desirous to terminate amicably all the doubts which have arisen relative to the parts of the coast of Africa with which the subjects of the Crown of Portugal, under the laws of that kingdom and the Treaty subsisting with his Britannic Majesty, may lawfully carry on a Trade in Slaves: and whereas several ships, the property of the said subjects of Portugal, have been detained and condemned, upon the alleged ground of being engaged in an illicit Traffic in Slaves; and whereas his Britannic Majesty, in order to give to his intimate and faithful Ally the Prince Regent of Portugal, the most unequivocal proof of his friendship and the regard he pays to his Royal Highness's reclamations, and in consideration of regulations to be made by the Prince Regent of Portugal for avoiding hereafter such doubts, is desirous to adopt the most speedy and effectual measures, and without the delays incident to the ordinary forms of law, to provide a liberal indemnity for the parties whose property may have been so detained under the doubts as aforesaid; in furtherance of the said object, the High Contracting Parties have appointed as their Plenipotentiaries, viz. his Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Hon. Robert Stewart Viscount Castlereagh, Knight of the Most Noble Order of the Garter, a Member of his said Majesty's Most Hon. Privy Council, a Member of Parliament, Col. of the Regiment of Militia of Londonderry, his said Majesty's Principal Secretary of State for Foreign Affairs, and his Plenipotentiary at the Congress of Vienna; and his Royal Highness the Prince Regent of Portugal, the Most illustrious and Most Excellent Dom Pedro de Sousa Holstein Count of Palmella, a Member of his Royal Highness's Council, Commander of the Order of Christ, Captain of a Company of the Royal German Life Guard; the Most Illustrious and Most Excellent Anthony de Saldanha da Gama, a Member of his Royal Highness's Council, and of his Council of Finance, Commander of the Military Order of St. Benedict of Aviz; and Dom Joachim Lobo de Silveira, Member of his Council, and Commander of the Order of Christ, his Plenipotentiaries at the Congress of Vienna; who, having mutually exchanged their full powers, found in good and due form, have agreed upon the following Articles:

ART. I. That the sum of 300,000*l.* be paid in London, to such person as the Prince Regent of Portugal may appoint to receive the same; which sum shall constitute a fund to be employed under such regulations, and in such manner as the said Prince Regent of Portugal may direct, in discharge of claims for Portuguese ships detained by British cruisers previous to the 1st day of June, 1814, upon the alleged ground of carrying on an illicit traffic in Slaves.

ART. II. That the said sum shall be considered to be in full discharge of all claims arising out of captures made previous to the 1st day of June 1814; his Britannic Majesty renouncing any interference whatever in the disposal of this money.

ART. III. The present Convention shall be ratified and the Ratifications shall be exchanged in the space of five months or sooner if possible. In witness whereof the respective Plenipotentiaries have signed it, and have thereunto affixed the seals of their arms. Done at Vienna this 21st day of January, 1815.

(Signed)
(L. S.) *Castlereagh.* (Signed)
(L. S.) *Conde de Palmella.*
(L. S.) *Antonio de Saldanha da Gama.*
(L. S.) *B. Joaquim Lobo de Silveira.*

No. II.—PORTUGAL.—*Treaty between Great Britain and Portugal, respecting the Slave Trade, signed at Vienna the 22d of Jan.* 1815.

In the Name of the Most Holy and Undivided Trinity.

His Royal Highness the Prince Regent of Portugal having, by the 10th Article of the Treaty of Alliance, concluded at Rio de Janeiro on the 19th February 1810, declared his determination to co-operate with his Britannic Majesty in the cause of humanity and justice, by adopting the most efficacious means for bringing about a gradual Abolition of the Slave Trade; and his Royal Highness, in pursuance of his said Declaration, and desiring to effectuate, in concert with his Britannic Majesty and the other Powers of Europe, who have been induced to assist in this benevolent object, an immediate Abolition of the said traffic upon the parts of the Coast of Africa which are situated to the northward of the Line; his Britannic Majesty and his Royal Highness the Prince Regent of Portugal, equally animated by a sincere desire to accelerate the moment when the blessings of peaceful industry and an innocent commerce may be encouraged throughout this extensive portion of the Continent of Africa, by its being delivered from the evils of the Slave Trade, have agreed to enter into a Treaty for the said purpose, and have accordingly named as their Plenipotentiaries; viz. His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Robert Stewart Viscount Castlereagh, Knight of the Most Noble Order of the Garter, a Member of his said Majesty's Most Honourable Privy Council, a Member of Parliament, Colonel of the Regiment of Militia of Londonderry, his said Majesty's Principal Secretary of State for Foreign Affairs, and his Plenipotentiary at the Congress of Vienna; and his Royal Highness the Prince Regent of Portugal, the Most Illustrious and Most Excellent Dom Pedro de Sousa Holstein, Count of Palmella, a Member of his Royal Highness's Council, Commander of the Order of Christ, Captain of a Company of the Royal German Life Guard; the Most Illustrious and Most Excellent Anthony de Saldanha da Gama, a Member of his Royal Highness's Council and of his Council of Finance, Commander of the Military Order of St. Benedict of Aviz; and the Most Illustrious and Most Excellent Dom Joachim Lobo da Silveira, a Member of his Royal Highness's Council, and Commander of the Order of Christ, his Royal Highness's Plenipotentiaries at the Congress of Vienna; who, having mutually exchanged their full powers, found in good and due form, have agreed upon the following Articles:

ART. I. That from and after the ratification of the present Treaty, and the publication thereof, it shall not be lawful for any of the subjects of the Crown of Portugal to purchase Slaves, or to carry on the Slave Trade, on any part of the coast of Africa to the northward of the Equator, upon any pretext or in any manner whatsoever: Provided, nevertheless, that the said provision shall not extend to any ship or ships having cleared out from the ports of Brazil, previous to the publication of such ratification; and provided the voyage, in which such ship or ships are engaged, shall not be protracted beyond six months after such publication as aforesaid.

ART. II. His Royal Highness the Prince Regent of Portugal hereby agrees, and binds himself to adopt, in concert with his Britannic Majesty, such measures as may best conduce to the effectual execution of the preceding engagement, according to its true intent and meaning; and his Britannic Majesty engages, in concert with his Royal Highness, to give such orders as may effectually prevent any interruption being given to Portuguese ships resorting to the actual Dominions of the Crown of Portugal, or to the territories which are claimed in the said Treaty of Alliance, as belonging to the said Crown of Portugal, to the southward of the Line, for the purposes of trading in Slaves, as aforesaid, during such further period as the same may be permitted to be carried on by the Laws of Portugal, and under the Treaties subsisting between the two Crowns.

ART. III. The Treaty of Alliance concluded at Rio de Janeiro, on the 19th February 1810, being founded on circumstances of a temporary nature, which have happily ceased to exist, the said Treaty is hereby declared to be void in all its parts, and of no effect; without prejudice, however, to the ancient Treaties of Alliance, Friendship, and Guarantee, which have so long and so happily subsisted between the two Crowns, and which are hereby renewed by the High Contracting Parties, and acknowledged to be of full force and effect.

ART. IV. The High Contracting Parties reserve to themselves, and engage to determine by a separate Treaty, the period at which the Trade in Slaves shall universally cease, and be prohibited throughout the entire Dominions of Portugal; the Prince Regent of Portugal hereby renewing his former declaration and engagement, that, during the interval which is to elapse before such general and final abolition shall take effect, it shall not be lawful for the subjects of Portugal to purchase or trade in Slaves, upon any parts of the coast of Africa, except to the southward of the Line, as specified in the 2d Article of this Treaty; nor to engage in the same, or to permit their flag to be used, except for the purpose of supplying the transatlantic possessions belonging to the Crown of Portugal.

ART. V. His Britannic Majesty hereby agrees to remit, from the date at which the ratification mentioned in the 1st Article shall be promulgated, such further payments as may then remain due and payable upon the loan of 600,000*l.* made in London for the service of Portugal, in the year 1809, in consequence of a Convention signed on the 21st of April of the same year; which Convention, under the conditions specified as aforesaid, is hereby declared to be void and of no effect.

ART. VI. The present Treaty shall be ratified, and the ratifications shall be exchanged at Rio de Janeiro in the space of five months, or sooner, if possible. In witness whereof the respective Plenipotentiaries have signed it, and have thereunto affixed the seals of their arms.

Done at Vienna this 22d day of January, 1815.

(Signed)
(L. S.) *Castlereagh.* (Signed.
(L. S.) *Conde de Palmella,*
(L. S.) *Antonio de Saldanha de Gama.*
(L. S.) *B. Joaquim Lobo da Silveira.*

Additional Article.

It is agreed, that in the event of any of the Portuguese settlers being desirous of retiring from the Settlements of the Crown of Portugal on the Coast of Africa to the northward of the Equator, with the Negroes *bonâ fide* their domestics, to some other of the possessions of the Crown of Portugal, the same shall not be deemed unlawful, provided it does not take place on board a Slave-trading vessel, and provided they be furnished with proper Passports and Certificates, according to a form to be agreed on between the two Governments.

The present Additional Article shall have the same force and effect as if it were inserted word for word in the Treaty signed this day, and shall be ratified, and the ratifications exchanged at the same time.

In witness whereof the respective Plenipotentiaries have signed it, and have thereunto affixed the seals of their arms.

Done at Vienna this 22d day of January, 1815. [Signed as before.]

No. III.—FRANCE. — *Convention between Great Britain and France relative to the East Indies; signed at London 7th of March* 1815.

(Translation.)

In the Name of the Most Holy and Undivided Trinity.

The Trade in Salt and Opium throughout the British Sovereignty in India, having been subjected to certain regulations and Restrictions which, unless due provision be made, might occasion differences between the subjects and agents of his Britannic Majesty and those of his Most Christian Majesty; their said Majesties have thought proper to conclude a Special Convention for the purpose of preventing such differences, and removing every cause of dispute between their respective subjects in that part of the world, and in this view have named for their respective Plenipotentiaries, viz.: his Majesty the King of the United Kingdom of Great Britain and Ireland, Robert, Earl of Buckinghamshire, a Peer of the United Kingdom, one of his Majesty's Most Honourable Privy Council in England and in Ireland, and President of the Board of his Majesty's Commissioners for the Affairs of India; and his Majesty the King of France and Navarre, the Sieur Claude Louis de La Chatre, descendant of the Princes of Deols, Count de la Chatre, Commander of the Royal and Hospitable Orders of St. Lazarus and of Mount Carmel, Honorary Commander of the Order of Malta, Knight of the Royal and Military Order of St. Louis, Lieutenant-General of his Armies, and his Ambassador Extraordinary and Plenipotentiary at the Court of London; who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:

ART. I. His Most Christian Majesty engages to farm to the British Government in India, the exclusive right to purchase at a fair and equitable price, to be regulated by that which the said Government shall have paid for Salt in the districts in the vicinity of the French Possessions on the coast of Coromandel and Orixa respectively, the Salt that may be manufactured in the said Possessions, subject however to a reservation of the quantity that the Agents of his Most Christian Majesty shall deem requisite for the domestic use and consumption of the inhabitants thereof; and upon the condition, that the British Government shall deliver in Bengal, to the Agents of his Most Christian Majesty, the quantity of Salt that may be judged necessary for the consumption of the inhabitants of Chandernagore; reference being had to the population of the said Settlement; such delivery to be made at the price which the British Government shall have paid for the said article.

ART. II. In order to ascertain the prices as aforesaid, the official accounts of the charges incurred by the British Government, for the Salt manufactured in the districts in the vicinity of the French Settlements on the coasts of Coromandel and Orixa respectively, shall be open to the inspection of a Commissioner to be appointed for that purpose by the Agents of his Most Christian Majesty in India; and the price to be paid by the British Government shall be settled according to an average to be taken every three years, of the charges as aforesaid ascertained by the said official accounts, commencing with the three years preceding the date of the present Convention. The price of Salt at Chandernagore to be determined, in the same manner, by the charges incurred by the British Government for the Salt manufactured in the districts nearest to the said Settlement.

ART. III. It is understood that the Salt Works in the Possessions belonging to his Most Christian Majesty shall be and remain under the direction and administration of the Agents of his said Majesty.

ART. IV. With a view to the effectual attainment of the objects in the contemplation of the High Contracting Parties, his Most Christian Majesty engages to establish in his Possessions on the coasts of Coromandel and Orixa, and at Chandernagore in Bengal, nearly the same price for Salt, as that at which it shall be sold by the British Government in the vicinity of each of the said Possessions.

ART. V. In consideration of the stipulations expressed in the preceding Articles, his Britannic Majesty engages that the sum of Four Lacs of Sicca Rupees shall be paid annually to the Agents of his Most Christian Majesty duly authorized, by equal quarterly instalments; such instalments to be paid at Calcutta or at Madras, ten days after the bills that may be drawn for the same by the said Agents, shall have been presented to the Government of either of those Presidencies; it being agreed that the rent above stipulated, shall commence from the 1st of October 1814.

ART. VI. With regard to the trade in Opium, it is agreed between the High Contracting Parties, that at each of the periodical Sales of that article, there shall be reserved for the French Government, and delivered upon requisition duly made by the Agents of his Most Christian Majesty, or by the persons duly appointed by them, the number of chests so applied for; provided that such supply shall not exceed three hundred chests in each year; and the price to be paid for the same shall be determined by the average rate at which Opium shall have been sold at every such periodical sale. It being understood that if the quantity of Opium applied for at any one time, shall not be taken on account of the French government by the Agents of his Most Christian Majesty, within the usual period of delivery, the quantity so applied for shall nevertheless be considered as so much in reduction of the three hundred chests herein before-mentioned. The requisitions of Opium as aforesaid, are to be addressed to the Governor-general at Calcutta, within thirty days after notice of the intended sale shall have been published in the Calcutta Gazette.

ART. VII. In the event of any restriction being imposed upon the exportation of Saltpetre, the subjects of his Most Christian Majesty shall nevertheless be allowed to export that article to the extent of eighteen thousand maunds.

ART. VIII. His Most Christian Majesty, with the view of preserving the harmony subsisting between the two nations, having engaged by the 12th Article of the Treaty concluded at Paris on the 30th of May 1814, not to erect any Fortifications in the Establishments to be restored to him by the said Treaty, and to maintain no greater number of troops than may be necessary for the purposes of Police; his Britannic Majesty on his part, in order to give every security to the subjects of his Most Christian Majesty residing in India, engages, if at any time there should arise between the High Contracting Parties, any misunderstanding or rupture, (which God forbid), not to consider or treat as prisoners of war, those persons who belong to the Civil Establishments of his Most Christian Majesty in India, nor the officers, non-commissioned officers, or soldiers, who, according to the terms of the said Treaty, shall be necessary for the maintenance of the Police in the said Establishments, and to allow them to remain three months to settle their personal affairs, and also to grant them the necessary facilities and means of conveyance to France with their families and private property.—His Britannic Majesty further engages to permit the subjects of his Most Christian Majesty in India, to continue their residence and commerce so long as they shall conduct themselves peaceably, and shall do nothing contrary to the laws and regulations of the Government. But in case their conduct should render them suspected, and the British Government should judge it necessary to order them to quit India, they shall be allowed the period of six months to retire with their effects and property to France, or to any other country they may choose. At the same time it is to be understood, that this favour is not to be extended to those who may act contrary to the laws and regulations of the British Government.

ART. IX. All Europeans and others whosoever, against whom judicial proceedings shall be instituted within the limits of the Settlements or Factories belonging to his Most Christian Majesty, for offences committed, or for debts contracted within the said limits, and who shall take refuge out of the same, shall be delivered up to the Chiefs of the said Settlements and Factories; and all Europeans and others whosoever, against whom judicial proceedings as aforesaid shall be instituted without the said limits, and who shall take refuge within the same, shall be delivered up by the Chiefs of the said Settlements and Factories, upon demand being made of them by the British Government.

ART. X. For the purpose of rendering this Agreement permanent, the High Contracting Parties hereby engage, that no alteration shall be made in the Conditions and Stipulations in the foregoing Articles, without the mutual consent of his Majesty the King of the United Kingdom of Great Britain and Ireland, and of his Most Christian Majesty.

ART. XI. The present Convention shall be ratified, and the ratifications shall be exchanged at London in the space of one month from the date hereof, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed it, and have thereunto affixed the seals of their arms.

Done at London this 7th day of March, 1815. Signed
(L. S.) *Buckinghamshire.* Signed
(L. S.) *Le Comte de la Chatre.*

No. IV.—RUSSIA AND THE NETHERLANDS.—*Treaty between Great Britain, Russia, and the Netherlands, respecting the Russian Loan in Holland; signed at London, 19th May* 1815.

In the name of the Most Holy and Undivided Trinity.

His Majesty the King of the Netherlands being desirous, upon the final re-union of the Belgic Provinces with Holland, to render to the Allied Powers who were Parties to the Treaty concluded at Chaumont on the 1st of March 1814, a suitable return for the heavy expense incurred by them in delivering the said territories from the power of the Enemy; and the said Powers having, in consideration of arrangements made with each other, mutually agreed to wave their several pretensions under this head in favour of his Majesty the Emperor of all the Russias; his said Majesty the King of the Netherlands has thereupon resolved to proceed immediately to execute with his Imperial Majesty, a Convention to the following effect, to which his Britannic Majesty agrees to be a Party, in pursuance of engagements taken by his said Majesty with the King of the Netherlands, in a Convention signed at London on the 13th day of August 1814.

In consequence thereof, the three said High Contracting Parties have appointed as their Plenipotentiaries, namely; his Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Robert Stewart, Viscount Castlereagh, Knight of the Most Noble Order of the Garter, one of his said Majesty's Most Honourable Privy Council, a Member of Parliament, Colonel of the Londonderry Regiment of Militia, and his Principal Secretary of State for Foreign Affairs, &c. &c.; his Majesty the Emperor of all the Russias, the Sieur Christopher Count de Lieven, Lieutenant-General of his Armies, his Aide-de-Camp-general, his Ambassador Extraordinary and Plenipotentiary to his Britannic Majesty, Knight of the Orders of St. Alexander Newsky, of St. George of the Third Class, Grand Cross of St. Vladimir of the Second Class, of St. Anne of the First Class, Commander of the Order of St. John of Jerusalem, Knight of the Prussian Orders of the Black and the Red Eagles and Commander Grand Cross of the Swedish Order of the Sword; and his Majesty the King of the Netherlands, the Sieur Henry Baron Fagel, a Member of the Corps des Nobles of the Province of Holland, his Ambassador Extraordinary and Plenipotentiary to his Britannic Majesty, &c. &c.; who, after having mutually exchanged their full powers, found in good and due form, have agreed upon the following Articles:

ART. I. His Majesty the King of the Netherlands hereby engages to take upon himself, a part of the capital and arrears of interests, to the 1st of January 1816, of the Russian Loan made in Holland through the intervention of the house of Hope and Co. in Amsterdam, to the amount of twenty-five millions of florins, Dutch currency; the annual interest of which sum, together with an annual payment for the liquidation of the same, as hereafter specified, shall be borne by, and become a charge upon the Kingdom of the Netherlands. And his Majesty the King of the United Kingdom of Great Britain and Ireland engages, on his part, to recommend to his Parliament to enable him to take upon himself an equal Capital of the said Russian Loan, viz. twenty-five millions of florins, Dutch currency; the annual interest of which sum, together with an annual payment for the liquidation of the same, as hereafter specified, shall be borne by, and become a charge upon the Government of his Britannic Majesty.

ART. II. The future charge, to which their said Belgic and Britannic Majesties shall be respectively liable in equal shares on account of the said Debt, is to consist of an annual interest of five per cent. on the said Capitals, each of twenty-five millions, together with a sinking fund of one per cent. for the extinction of the same, the said sinking fund being subject, however, to be increased on the demand of the Russian Government to any annual sum not exceeding three per cent.; the same to be payable till the capital of the said debt shall be fully discharged, when the aforesaid charge for interests and sinking fund shall wholly cease to be borne by their said Belgic and Britannic Majesties respectively.

ART. III. Their said Belgic and Britannic Majesties respectively bind themselves, on or before the usual day or days in each year, on which the interest on the said debt shall be due and payable, to deposit with the Agent of the Russian Government in Holland, their respective proportions of the said interest and sinking fund, as above specified; provided always, that previously to the advance of each successive instalment so to be paid, the said Agent shall be authorized to furnish a certificate to each of the said two High Contracting Parties, declaring that the preceding instalment has been duly applied in discharge of the interest, and in reduction of the principal of the said debt; together with the corresponding payments, on account of the Russian government, on that part of the debt which shall remain a charge on the said government.

ART. IV. The Russian government shall continue, as heretofore, to be security to the creditors for the whole of the said Loan, and shall be charged with the administration of the same; the governments of the King of the Netherlands and of his Britannic Majesty remaining liable and bound to the government of his Imperial Majesty, each for the punctual discharge, as above, of the respective proportions of the said charge.

ART. V. It is hereby understood and agreed between the High Contracting Parties, that the said payments on the part of their Majesties the King of the Netherlands and the King of Great Britain, as aforesaid, shall cease and determine, should the Possession and Sovereignty (which God forbid) of the Belgic Provinces at any time pass or be severed from the Dominions of his Majesty the King of the Netherlands previous to the complete liquidation of the same. It is also understood and agreed between the High Contracting Parties, that the payments on the part of their Majesties the King of the Netherlands and the King of Great Britain, as aforesaid, shall not be interrupted in the event (which God forbid) of a war breaking out between any of the three High Contracting Parties; the government of his Majesty the Emperor of all the Russias being actually bound to its creditors by a similar agreement.

ART. VI. The present Convention shall be ratified, and the ratification thereof shall be exchanged at London in six weeks, or sooner if possible. In faith whereof we the undersigned, in virtue of our full powers, have signed the present Convention, and affixed thereto the seal of our arms.—Done at London, the 19th day of May, 1815.

(Signed) (Signed) (Signed)
(L. S.) *Castlereagh.* *Lieven.* *H. Fagel.*

No. V.—SARDINIA.—*Treaty between Great Britain and Sardinia, respecting the Sardinian Territories. Signed at Vienna the 20th May* 1815.

In the Name of the Most Holy and Undivided Trinity.

His Majesty the King of Sardinia, &c. &c. being restored to the full and entire possession of his Continental States, in the same manner as he possessed them on the 1st of January 1792, and to the whole of them, with the exception of the part of Savoy ceded to France by the Treaty of Paris of the 30th May 1814; certain changes having since been agreed upon, during the Congress of Vienna, relative to the extent and limits of the said States; his Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the King of Sardinia, wishing to confirm and establish, by a formal Treaty, every thing relating to these points, have in consequence named for their Plenipotentiaries, viz. His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Richard Le Poer Trench, Earl of Clancarty, Viscount Dunlo, Baron Kilconnel, one of his Majesty's Most Honourable Privy Council in Great Britain, and also in Ireland, President of the Committee of the former for the affairs of Trade and of Plantations, Joint Post-master-General in Great Britain, Colonel of the Galway Regiment of Militia, Knight Grand-Cross of the Most Honourable Order of the Bath, and one of his said Majesty's Plenipotentiaries at the Congress; and his Majesty the King of Sardinia, &c. &c. the Sieurs Don Anthony Maria Philip Asinari, Marquis de St. Marsan and de Caraïl, Count de Castigliole, Cartosio and Castelletto, Val d'Erro, Knight Grand-Cross of the Military and Religious Order of St. Maurice and Lazarus, of the Orders of the Black Eagle and of the Red Eagle of Prussia, Major-general of Cavalry, his Minister of State, and principal Secretary for the War Department, and his First Plenipotentiary at the Congress; and Count Don Joachim Alexander Rossi, Knight Grand-Cross, and Commander of the Royal and Military Order of St. Maurice and Lazarus, his Majesty's Counsellor, and his Envoy Extraordinary and Minister Plenipotentiary to the Court of his Imperial and Royal Apostolic Majesty, and his Second Plenipotentiary at the Congress; who, in virtue of the full powers produced by them at the Congress of Vienna, found to be in due and proper form, have agreed upon the following Articles:

ART. I. The frontiers of the States of his Majesty the King of Sardinia shall be; on the side of France, such as they were on the 1st of January 1792, with the exception of the changes effected by the Treaty of Paris of the 30th May 1814. On the side of the Helvetic Confederation, such as they existed on the 1st of January 1792, with the exception of the change produced by the cession, in favour of the canton of Geneva, as specified in the 7th Article hereinafter inserted. On the side of the States of his Majesty the Emperor of Austria, such as they existed on the 1st of January 1792; and the Convention concluded between their Majesties the Empress Maria-Theresa and the King of Sardinia, on the 4th of October 1751, shall be reciprocally confirmed in all its stipulations. On the side of the States of Parma and Placentia, the frontier, as far as it concerns the ancient States of the King of Sardinia, shall continue to be the same as they were on the 1st of January 1792. The borders of the former States of Genoa, and of the countries called Imperial Fiefs, united to the States of his Majesty the King of Sardinia, according to the following Articles, shall be the same as those which, on the 1st of January 1792, separated those countries from the States of Parma and Placentia, and from those of Tuscany and Massa. The island of Capraja, having belonged to the ancient Republic of Genoa, is included in the cession of the States of Genoa to his Majesty the King of Sardinia.

ART. II. The States which constituted the former Republic of Genoa, are united in perpetuity to those of his Majesty the King of Sardinia; to be, like the latter, possessed by him in full sovereignty and hereditary property, and to descend, in the male line, in the order of primogeniture, to the two branches of his House, viz. the Royal Branch, and the Branch of Savoy Carignan.

ART. III. The King of Sardinia shall add to his present titles, that of Duke of Genoa.

ART. IV. The Genoese shall enjoy all the rights and privileges specified in the Act, intituled "A. A. Conditions which are to serve as the bases of the union of the Genoese States to those of his Sardinian Majesty,"* and the said Act shall be considered as an integral part of the present Treaty, and shall have the same force and validity, as if it were textually inserted in the present Article.

ART. V. The countries called Imperial Fiefs, formerly united to the ancient Ligurian Republic, are definitively united to the States of his Majesty the King of Sardinia, in the same manner as the rest of the Genoese States; and the inhabitants of these countries shall enjoy the same rights and privileges as those of the States of Genoa, specified in the preceding Article.

ART. VI. The right that the Powers who signed the Treaty of Paris of the 30th May 1814, reserved to themselves, by the 3d Article of that Treaty, of fortifying such points of their States as they might judge proper for their safety, is equally reserved, without restriction, to his Majesty the King of Sardinia.

ART. VII. His Majesty the King of Sardinia cedes to the canton of Geneva, the districts of Savoy specified in the Act annexed, intituled "B. B.† Cession made by his Majesty the King of Sardinia to the canton of Geneva," and on the conditions specified in the same Act. That Act shall be considered as an integral part of the present Treaty, and shall have the same force and validity as if it were textually inserted in the present Article.

ART. VIII. The provinces of Chablais and Faucigny, and the whole of the territory of Savoy to the north of Ugine, belonging to his Majesty the King of Sardinia, shall form a part of the neutrality of Switzerland, as recognized and guaranteed by all the Powers. Whenever, therefore, the neighbouring Powers to Switzerland are in a state of open or impending hostility, the troops of his Majesty the King of Sardinia, which may be in those provinces, shall retire, and may for that purpose pass through the Vallais, if necessary. No other armed troops of any other Power, shall have the privilege of passing through, or remaining in the said territories and provinces, excepting those which the Swiss Confederation shall think proper to place there, it being well understood, that this state of things shall not in any manner interrupt the administration of these countries, in which the civil Agents of his Majesty the King of Sardinia may likewise employ the municipal guard for the preservation of good order.

ART. IX. The present Treaty shall form part of the definitive arrangements of the Congress of Vienna.

ART. X. The ratifications of the present Treaty shall be exchanged in six weeks, or sooner, if possible. In faith of which the respective Plenipotentiaries have signed the present Treaty, and have affixed thereunto the seal of their arms.—Done at Vienna the 20th of May 1815.

Signed (L. S.) *The Prince de Metternich.*
(L. S.) *The Marquis de St. Marsan.*
(L. S.) *The Baron de Wessenberg.*
(L. S.) *The Count Rossi.*

No. VI. — NETHERLANDS. — *Treaty between Great Britain and the Netherlands, respecting the Territories of the King of the Netherlands; signed at Vienna the 31st May 1815.*

In the Name of the Most Holy and Undivided Trinity.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the King of the Netherlands, being desirous of carrying into effect and of completing the arrangements contained in the Treaty of Peace concluded at Paris the 30th of May 1814, which, while it establishes a just equilibrium in Europe, and assigns to the United Provinces such a proportion of territory as may enable them to support their own independance, secures to them the countries comprised between the sea, the frontiers of France, and the Meuse, leaves undefined their limits on the right bank of that river; and their said Majesties having resolved to conclude a separate Treaty on this subject, conformably to the arrangements of the Congress of Vienna, have appointed Plenipotentiaries to concert, agree upon, and sign whatever relates to this subject; viz. His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Richard le Poer Trench, Earl of Clancarty, Viscount Dunlo, Baron Kilconnel, one of his Majesty's Most Honourable Privy Council in Great Britain, and also in Ireland, President of the Committee of the former for the Affairs of Trade and Plantations, Joint Post-Master-General in Great Britain, Colonel of the Galway Regiment of Militia, Knight Grand-Cross of the Most Honourable Order of the Bath, and one of his said Majesty's Plenipotentiaries at the Congress; and his Majesty the King of the Netherlands, the Sieur Gerhard Charles Baron de Spaen de Voorstonden, Member of the Corps of Nobles of the Province of Gueldre, Envoy Extraordinary and Minister Plenipotentiary from his Majesty the King of the Netherlands, Prince of Orange-Nassau, Grand Duke of Luxemburg, at the Court of

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* Vide General Treaty of Congress, p. 194.

† Vide General Treaty of Congress, p. 197.

Vienna, and one of his Plenipotentiaries at the Congress; and the Sieur Hans Christopher Erneste Baron de Gagern, Grand Cross of the Order of the Lion of Hesse, and of the Order of Fidelity of Baden, Plenipotentiary of his said Majesty at the Congress of Vienna; who, after having exchanged their full powers, found in good and due form, have agreed to the following Articles:

ART. I. The old United Provinces of the Netherlands, and the former Belgic Provinces, both within the limits fixed by the following Article, shall form, together with the countries designated in the same Article, under the sovereignty of his Royal Highness the Prince of Orange-Nassau, Sovereign Prince of the United Provinces, the kingdom of the Netherlands, hereditary in the order of succession already established by the Act of the Constitution of the said United Provinces. His Majesty the Emperor of Austria, King of Hungary and Bohemia, acknowledges the title and prerogatives of the royal dignity in the House of Orange-Nassau.

ART. II. The line comprising the territories which shall compose the kingdom of the Netherlands, is determined in the following manner: It leaves the sea, and extends along the frontiers of France on the side of the Netherlands, as rectified and fixed by the third Article of the Treaty of Paris of the 30th May 1814, to the Meuse; thence along the same frontiers to the old limits of the duchy of Luxemburg: from this point it follows the direction of the limits between that duchy and the old bishopric of Liege, till it meets (to the south of Deiffelt) the western limits of that canton, and of that of Malmedy, to the point where the latter reaches the limits between the old departments of the Ourthe and the Roer; it then goes along these limits to where they touch those of the former French canton of Eupen, in the duchy of Limburg, and following the western limit of that canton in a northerly direction, leaving to the right a small part of the former French canton of Aubel, joins, at the point of contact of the three old departments of the Ourthe, the Lower Meuse, and the Roer; parting again from this point, this line follows that which divides the two latter departments, until it reaches the Worm (a river falling into the Roer), and goes along this river to the point where it again reaches the limit of these two departments, pursues this limit to the south of Hillensberg (the old department of the Roer) from whence it reascends to the north, and leaving Hillensberg to the right, and dividing the canton of Sittard into two nearly equal parts, so that Sittard and Susteren remain on the left, it reaches the old Dutch territory; from whence, leaving this territory to the left, it goes on following its eastern frontier, to the point where it touches the old Austrian principality of Gueldres, on the side of Ruremonde; and, directing itself towards the most eastern point of the Dutch territory to the north of Swalmen, continues to encircle this territory.—Lastly, setting out from the most eastern point, it joins that other part of the Dutch territory in which Venloo is situated; that town and its territory being included within it. From thence to the old Dutch frontier near Mook, situated below Genep, the line follows the course of the Meuse, at such a distance from the right bank, that all the places within a thousand Rhenish yards from it, (*Rheinländische Ruthen*) 1,970 of which yards are equal to the 15th part of a degree of the meridian, shall belong with their territories, to the kingdom of the Netherlands: it being understood, however, as to the reciprocity of this principle, that the Prussian territory shall not at any point touch the Meuse, or approach it within the distance of 800 Rhenish yards.—From the point where the line just described reaches the ancient Dutch frontier, as far as the Rhine, this frontier shall remain essentially the same as it was in 1795, between Cleves and the United Provinces.

This line shall be examined by a Commission, which the governments of Prussia and the Netherlands shall name without delay, for the purpose of proceeding to the exact determination of the limits, as well of the kingdom of the Netherlands as of the Grand Duchy of Luxemburg, specified in the 4th Article: and this Commission, aided by professional persons, shall regulate every thing concerning hydrotechnical constructions and other points, in the most equitable manner, and the most conformable to the mutual interests of the Prussian States; and of those of the Netherlands. This same arrangement refers to the fixing of limits in the districts of Kyfwaerd; Lobith, and in the whole territory as far as Kekerdom.—The *enclaves* of Huissen, Malburg, Lymers, with the town of Sevenaer, and the lordship of Wiel, shall form part of the kingdom of the Netherlands, and his Prussian Majesty shall renounce them in perpetuity for himself, his heirs, and successors.

ART. III. That part of the old Duchy of Luxemburg which is comprised in the limits specified in the following Article, is likewise ceded to the Sovereign Prince of the United Provinces, now King of the Netherlands, to be possessed in perpetuity by him and his successors in full property and sovereignty. The Sovereign of the Netherlands shall add to his titles that of Grand Duke of Luxemburg, his Majesty reserving to himself the privilege of making such family arrangements between the princes his sons, relative to the succession to the Grand Duchy, as he shall think conformable to the interests of his monarchy and his paternal intentions. The Grand Duchy of Luxemburg being intended as an indemnity for the principalities of Nassau-Dillenburg, Siegen, Hadamar, and Dietz, shall form one of the States of the

Germanic Confederation, and the Prince, King of the Netherlands, shall form a part of the system of this Confederation, as Grand Duke of Luxemburg, with all the prerogatives and privileges which the other German princes might enjoy. The town of Luxemburg, in a military point of view, shall be considered as a fortress belonging to the Confederation. The Grand Duke shall, however, retain the power of appointing the governor and military commandant of this fortress, subject to the approbation of the executive power of the Confederation, and under such other conditions as it may be judged necessary to establish, in conformity to the future constitution of the said Confederation.

ART. IV. The Grand Duchy of Luxemburg shall consist of all the territory situated between the kingdom of the Netherlands, such as it has been designated by Article II.; France, the Moselle, as far as the mouth of the Sare; the course of the Sure, as far as the junction of the Our, and the course of this last river, as far as the limits of the former French canton of St. Vith, which is not to belong to the Grand Duchy of Luxemburg.—Disputes having arisen with regard to the property of the Duchy of Bouillon, his Majesty the King of the Netherlands, Grand Duke of Luxemburg, engages to restore the part of the said duchy which is comprised in the line of frontier above mentioned, to that party whose claims shall be legally confirmed.

ART. V. His Majesty the King of the Netherlands renounces, in perpetuity for himself, his heirs and successors, in favour of his Majesty the King of Prussia, the sovereign possessions which the House of Nassau-Orange held in Germany; namely, the principalities of Dillenburg, Dietz, Siegen, and Hadamar, together with the lordships of Bielstein, such as those possessions have been definitively arranged between the two branches of the House of Nassau, by the Treaty concluded at the Hague the 14th July 1814. His Majesty equally renounces all claim to the principality of Fulda, and to the other districts and territories, which had been secured to him by the 12th Article of the principal Recess, of the extraordinary deputation of the empire on the 25th February 1803.

ART. VI. The right and order of succession established between the two branches of the House of Nassau, by the Act of 1783, called *(Nassauischer Erb-Verein)* is confirmed and transferred from the four principalities of Orange-Nassau, to the Grand Duchy of Luxemburg.

ART. VII. His Majesty the King of the Netherlands, uniting under his sovereignty the countries designated in the 2nd and 4th Articles, enters into all the rights and takes upon himself all the charges, and all the stipulated engagements, relative to the provinces and districts detached from France by the Treaty of Peace concluded at Paris the 30th May 1814.

ART. VIII. His Majesty the King of the Netherlands having recognized and sanctioned, under date of the 21st July 1814, as the bases of the union of the Belgic Provinces with the United Provinces, the eight Articles contained in the document annexed to the present Treaty,* the said Articles shall have the same force and validity as if they were inserted, word for word, in the present instrument.

ART. IX. A Commission shall be immediately appointed by his Majesty the King of Prussia and his Majesty the King of the Netherlands, to settle whatever relates to the cession of those possessions of the House of Nassau which belong to his Majesty, with regard to records, debts, excesses of the public chests, and other subjects of this nature. That part of the records which does not concern the ceded provinces, but only the House of Orange, and libraries, collections of maps, and all other objects of the same description, belonging to his Majesty the King of the Netherlands, shall be retained by him as private and personal property, and shall be immediately restored to his Majesty. A part of the said possessions being exchanged against other possessions of the Duke and Prince of Nassau, his Majesty the King of Prussia engages, and his Majesty the King of the Netherlands consents, that the engagement stipulated in the present Article, shall be transferred to their Serene Highness the Duke and Prince of Nassau, with respect to those possessions which are to be united to their States.

ART. X. The present Treaty shall be ratified, and the ratifications exchanged in six weeks, or sooner, if possible. In faith of which the above-mentioned Plenipotentiaries have signed it, and have affixed thereunto the seal of their arms. Done at Vienna, the 31st of May 1815.

(L. S.) *Clancarty.*
(L. S.) *The Baron de Spaen.*
(L. S.) *The Baron de Gagern.*

No. VII.—AUSTRIA.—*Convention between Great Britain and Austria, concerning the Custody of Napoleon Buonaparte. Signed at Paris, 2d August 1815.*

In the Name of the Most Holy and Undivided Trinity.

Napoleon Buonaparté being in the power of the Allied Sovereigns, their Majesties the King of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of Russia, and the King of Prussia, have agreed, in virtue of the stipulations of the Treaty of the 25th March 1815, upon the measures most proper to render all enterprize impossible, on his part, against the repose of Europe; his Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the Emperor of Austria having therefore named Plenipotentiaries to this intent; viz. His Britannic Majesty, the Right Honourable Robert Stewart, Viscount Castlereagh, Knight of the Most Noble Order of the Garter, one of his said Majesty's Most Honourable Privy Council, Member of Parliament, Colonel of the Londonderry Regiment of Militia, and his Principal Secretary of State for Foreign Affairs; and the Most Noble Lord Arthur, Duke, Marq., and Earl of Wellington, Marq. Douro, Visc. Wellington of Talavera and of Wellington, and Baron Douro of Wellesley, one of his said Majesty's Most Hon. Privy Council, Field-Marshal of his Armies, Colonel of the Royal Regiment of Horse Guards, Knight of the Most Noble Order of the Garter, and Knight Grand Cross of the Most Honourable Military Order of the Bath, Prince of Waterloo, Duke of Ciudad Rodrigo, and Grandee of Spain of the First Class, Duke of Vittoria, Marquis of Torres Vedras, Condé de Vimeira in Portugal, Knight of the Most Illustrious Order of the Golden Fleece, of the Military Order of St. Ferdinand of Spain, Knight Grand Cross of the Imperial Military Order of Maria Theresa, Knight Grand Cross of the Imperial Russian Order of St. George, Knight Grand Cross of the Portuguese Royal Military Order of the Tower and Sword, Knight Grand Cross of the Swedish Royal Military Order of the Sword, and Knight of many other orders, and Commander in Chief of the British Armies, and of those of his Majesty the King of the Netherlands in France; and his Imperial and Royal Apostolic Majesty the Sieur Clement Winceslas Lothaire, Prince of Metternich - Winnbeourg - Ochsenhausen, Knight of the Golden Fleece, Grand Cross of the Royal Order of St. Stephen, Knight of the Orders of St. Andrew, of St. Alexander Newsky, and of St. Anne of the First Class, Grand-Cordon of the Legion of Honour, Knight of the Order of the Elephant, of the Supreme Order of the Annunciation, of the Black Eagle and of the Red Eagle, of the Seraphim, of St. Joseph of Tuscany, of St. Hubert, of the Golden Eagle of Wurtemberg, of Fidelity of Baden, of St. John of Jerusalem, and of several others, Chancellor of the Military Order of Maria Theresa, Trustee to the Academy of Fine Arts, Chamberlain, Actual Privy Counsellor of his Majesty the Emperor of Austria, King of Hungary and Bohemia, his Minister of State, of Conferences, and for Foreign Affairs: the said Plenipotentiaries have agreed upon the following points and Articles:

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* Vide General Treaty of Congress, p. 180.

ART. I. Napoleon Buonaparté is considered by the Powers who have signed the Treaty of the 25th March last as their prisoner.

ART. II. His custody is especially entrusted to the British government. The choice of the place, and of the measures which can best secure the object of the present stipulation, are reserved to his Britannic Majesty.

ART. III. The Imperial Courts of Austria and of Russia, and of the Royal Court of Prussia, are to appoint Commissioners to proceed to, and abide at the place which the government of his Britannic Majesty shall have assigned for the residence of Napoleon Buonaparté, and who, without being responsible for his custody, will assure themselves of his presence.

ART. IV. His Most Christian Majesty is to be invited, in the name of the four abovementioned Courts, to send in like manner a French Commissioner to the place of detention of Napoleon Buonaparté.

ART. V. His Majesty the King of the United Kingdom of Great Britain and Ireland, binds himself to fulfil the engagements which fall to him by the present Convention.

ART. VI. The present Convention shall be ratified, and the ratifications shall be exchanged within fifteen days, or sooner if possible. In faith whereof, the respective Plenipotentiaries have signed the present Convention, and have affixed thereto the seals of their arms. Done at Paris the 2d August 1815.

(Signed)
(L. S.) *Castlereagh.* (Signed)
(L. S.) *Wellington.*
(L. S.) *The Prince of Metternich.*

Nos. VIII. and IX. Similar Conventions signed on the same day by the Plenipotentiaries of his Majesty with those of the Emperor of Russia and the King of Prussia, respectively.

No. X. AMERICA. — *Convention of Commerce between Great Britain and the United States of America; signed at London, 3d July* 1815.

His Britannic Majesty and the United States of America, being desirous, by a Convention, to regulate the commerce and navigation between their respective countries, territories, and people, in such a manner as to render the same reciprocally beneficial and satisfactory, have respectively named Plenipotentiaries, and given them full powers to treat of and conclude such convention; that is to say, His Royal Highness the Prince Regent, acting, in the name and on the behalf of his Majesty, has named for his Plenipotentiaries the Right Honourable Frederick John Robinson, Vice President of the Committee of Privy Council for Trade and Plantations, Joint Paymaster of his Majesty's Forces, and a Member of the Imperial Parliament; Henry Goulburn, Esq. a Member of the Imperial Parliament, and Under Secretary of State; And William Adams, Esq. Doctor of Civil Laws: and the President of the United States, by and with the consent of the Senate thereof, hath appointed for their Plenipotentiaries John Quincy Adams, Henry Clay, and Albert Gallatin, citizens of the United States; and the said Plenipotentiaries having mutually produced and shown their said full powers, and exchanged copies of the same, have agreed on and concluded the following Articles; viz.

ART. I. There shall be between all the territories of his Britannic Majesty in Europe, and the territories of the United States, a reciprocal liberty of Commerce. The inhabitants of the two countries respectively shall have liberty freely and securely to come with their ships and cargoes to all such places, ports, and rivers in the territories aforesaid, to which other foreigners are permitted to come, to enter into the same, and to remain and reside in any parts of the said territories respectively; also to hire and occupy houses and warehouses for the purposes of their commerce; and generally the merchants and traders of each nation respectively shall enjoy the most complete protection and security for their commerce; but subject always to the laws and statutes of the two countries respectively.

ART. II. No higher or other duties shall be imposed on the importation into the territorities of his Britannic Majesty in Europe, of any articles the growth, produce, or manufacture, of the United States, and no higher or other duties shall be imposed on the importation into the United States, of any articles the growth, produce, or manufacture of his Britannic Majesty's territories in Europe, than are or shall be payable on the like articles, being the growth, produce, or manufacture of any other foreign country, nor shall any higher or other duties or charges be imposed in either of the two countries on the exportation of any articles to his Britannic Majesty's territories in Europe, or to the United States, respectively, than such as are payable on the exportation of the like articles to any other foreign country; nor shall any prohibition be imposed upon the exportation or importation of any articles, the growth, produce, or manufacture of the United States, or of his Britannic Majesty's territories in Europe, or to or from the said territories of his Britannic Majesty in Europe, to or from the said United States, which shall not equally extend to all other nations.

No higher or other duties or charges shall be imposed in any of the ports of the United States on British vessels, than those payable in the same ports by vessels of the United States; nor in the ports of any of his Britannic Majesty's territories in Europe on the vessels of the United States, than shall be payable in the same port on British vessels.

The same duties shall be paid on the importation into the United States of any articles, the growth, produce, or manufacture of his Britannic Majesty's territories in Europe, whether such importation shall be in vessels of the United States or in British vessels, and the same duties shall be paid on the importation into the ports of any of his Britannic Majesty's territories in Europe, of any article, the growth, produce, or manufacture of the United States, whether such importation shall be in British vessels or in vessels of the United States.

The same duties shall be paid, and the same bounties allowed on the exportation of any articles, the growth, produce, or manufacture of his Britannic Majesty's territories in Europe, to the United States, whether such exportation shall be in vessels of the United States or in British vessels; and the same duties shall be paid and the same bounties allowed, on the exportation of any article, the growth, produce, or manufacture of the United States, to his Britannic Majesty's territories in Europe, whether such exportation shall be in British vessels, or in vessels of the United States.

It is further agreed, that in all cases where drawbacks are or may be allowed, upon the re-exportation of any goods, the growth, produce, or manufacture of either country, respectively, the amount of the said drawbacks shall be the same, whether the said goods shall have been originally imported in a British or American vessel; but when such re-exportation shall take place from the United States in a British vessel, or from the territories of his Britannic Majesty in Europe in an American vessel, to any other foreign nation, the two Contracting Parties reserve to themselves, respectively, the right of regulating or diminishing, in such case, the amount of the said drawback.

The intercourse between the United States and his Britannic Majesty's possessions in the West Indies, and on the continent of North America, shall not be affected by any of the provisions of this Article, but each party shall remain in the complete possession of its rights, with respect to such an intercourse.

ART. III. His Britannic Majesty agrees that the vessels of the United States of America shall be admitted, and hospitably received at the principal settlements of the British dominions in the East Indies, viz. Calcutta, Madras, Bombay, and Prince of Wales' Islands, and that the citizens of the said United States may freely carry on trade between the said principal settlements and the said United States, in all articles of which the importation and exportation, respectively, to and from the said territories, shall not be entirely prohibited: provided only, that it shall not be lawful for them in any time of war, between the British Government and any State or Power whatever, to export from the said territories, without the special permission of the British Government, any military stores or naval stores, or rice. The Citizens of the United States shall pay for their vessels, when admitted, no higher or other duty or charge than shall be payable on the vessels of the most favoured European nations, and they shall pay no higher or other duties or charges on the importation or exportation of the cargoes of the said vessels, then shall be payable on the same articles when imported or exported in the vessels of the most favoured European nations.

But it is expressly agreed, that the vessels of the United States shall not carry any articles from the said principal settlements to any port or place, except to some port or place in the United States of America, where the same shall be unladen.

It is also understood, that the permission granted by this Article, is not to extend to allow the vessels of the United States to carry on any part of the coasting trade of the said British territories, but the vessels of the United States having, in the first instance, proceeded to one of the said principal settlements of the British dominions in the East Indies and then going with their original cargoes, or any part thereof, from one of the said principal settlements to another, shall not be considered as carrying on the coasting trade. The vessels of the United States may also touch, for refreshments, but not for commerce, in the course of their voyage to or from the British territories in India, or to or from the dominions of the Emperor of China, at the Cape of Good Hope, the Island of St. Helena, or such other places as may be in the possession of Great Britain, in the African or Indian seas; it being well understood, that in all that regards this article, the citizens of the United States shall be subject, in all respects, to the laws and regulations of the British Government, from time to time established.

ART. IV. It shall be free for each of the two Contracting Parties respectively to appoint Consuls, for the protection of trade, to reside in the dominions and territories of the other party; but before any Consul shall act as such, he shall in the usual form be approved and admitted by the Government to which he is sent; and it is hereby declared, that in case of illegal and improper conduct towards the laws or government of the country to which he is sent, such Consul may either be punished according to law, if the laws will reach the case, or be sent back, the offended Government assigning to the other the reasons for the same. It is hereby declared, that either of the Contracting Parties may except from the residence of Consuls such particular places as such party shall judge fit to be so excepted.

ART. V. This Convention, when the same shall have been duly ratified by his Britannic Majesty and by the President of the United States, by and with the advice and consent of their Senate, and the respective ratifications mutually exchanged, shall be binding and obligatory on his Majesty and on the said United States for four years from the date of its signature; and the ratifications shall be exchanged in six months from this time, or sooner, if possible.

Done at London this 3rd day of July, 1815.

Signed.	Signed.
Fred. J. Robinson.	*John Q. Adams.*
Henry Goulburn.	*H. Clay.*
William Adams.	*Albert Gallatin.*

Declaration.

The undersigned, his Britannic Majesty's Chargé d'Affaires in the United States of America, is commanded by his Royal Highness the Prince Regent, acting in the name and on the behalf of his Majesty, to explain and declare, upon the exchange of the ratifications of the Convention concluded in London on the 3rd of July of the present year, for regulating the commerce and navigation between the two countries, that in consequence of events which have happened in Europe subsequent to the signature of the Convention aforesaid, it has been deemed expedient and determined, in conjunction with the Allied Sovereigns, that St. Helena shall be the place allotted for the future residence of General Napoleon Buonaparté, under such regulations as may be necessary for the perfect security of his person, and it has been resolved, for that purpose, that all ships and vessels whatever, as well British ships and vessels as others, excepting only ships belonging to the East India Company, shall be excluded from all communication with or approach to that Island.

It has therefore become impossible to comply with so much of the Third Article of the Treaty as relates to the liberty of touching for refreshment at the Island of St. Helena, and the ratifications of the said Treaty will be exchanged under the explicit declaration and understanding that the vessels of the United States cannot be allowed to touch at, or hold any communication whatever with the said Island, as long as the said Island shall continue to be the place of residence of the said Napoleon Buonaparte.

Signed.
Anthony St. John Baker.

Washington, November 24, 1815.

No. XI.—NETHERLANDS.—*Convention between Great Britain and the Netherlands concerning the late Dutch West India Colonies, signed at London 12th August 1815.*

In the Name of the most Holy and undivided Trinity.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the King of the Netherlands, being equally desirous of promoting and cementing the harmony and good understanding so happily established between the two countries, by carrying into immediate execution that part of the provisions of the first Additional Article of the Convention of the 13th of August 1814, which stipulates that the subjects of his Majesty the King of the Netherlands, being proprietors in the colonies of Demerara, Essequebo and Berbice, shall be at liberty (under certain regulations) to carry on trade between the said settlements and the territories in Europe of his said Majesty, have nominated for their Plenipotentiaries, viz. his Majesty the King of the United Kingdom of Great Britain and Ireland, Henry Earl Bathurst, a Member of his Majesty's Most Honourable Privy Council, and one of his Principal Secretaries of State; and his Majesty the King of the Netherlands, the Sieur Henry Baron Fagel, a Member of the Corps des Nobles of the province of Holland, and his Ambassador Extraordinary and Plenipotentiary to his Britannic Majesty: who, after having communicated to each other their respective full powers, found in due and proper form, have agreed to the following Articles:

ART. I. It is hereby agreed that for the space of five years from the 1st January 1816, the aforesaid trade may be carried on in any ships being the property of subjects of his Majesty the King of the Netherlands, wheresoever built, and without any restriction or limitation as to the mariners navigating them: but at the expiration of the said five years, or as much sooner as his Majesty the King of the Netherlands shall think proper, such trade shall be carried on only in such ships as are Dutch built, and whereof the Master and three-fourths of the crew are subjects of his Majesty the King of the Netherlands.

ART. II. His Majesty the King of the Netherlands reserves to himself the liberty of imposing such duties as he may think fit, upon the importation into the European dominions of his said Majesty, of the produce of the Colonies in question; and *vice-versâ*, with regard to exportation: but the duties to be paid within the Colonies shall be applicable to the Dutch, as well as to the British trade.

ART. III. The subjects of his Majesty the King of the Netherlands, being proprietors in the said Colonies, shall be at perfect liberty to go to the said Colonies, and to return, without being subjected in this respect to any delay or difficulty; or to appoint persons to act for them in the management of the said intercourse or of their properties in the said colonies; subject, however, during their residence there, to the laws and regulations of the same. They shall also have full liberty to dispose of their property in any manner in which they may think fit: but it is understood that in regard to negroes, they are to be subject to the same restrictions as British subjects.

ART. IV. In order to protect the proprietors of estates in the said Colonies from the ruinous effects of the immediate foreclosure of mortgages due to the subjects of his Majesty the King of the Netherlands, it is further agreed, that in all cases in which the proprietor of an estate shall offer to the holder of any mortgage on the said estate, made prior to the 1st of January 1814 (such mortgagee being a subject of his Majesty the King of the Netherlands) the security hereinafter specified, such mortgagee shall not be at liberty to proceed to the immediate or summary foreclosure of the said mortgage; it being however understood, that in all cases in which no such security shall be offered by the proprietor, the mortgagee shall retain all those rights as to foreclosure, to which he is at present entitled.

The security in question must provide that the mortgagee shall receive, at the expense of the proprietor of the estate, a new mortgage for the whole amount of the debt now due to him, including both that part of the original debt which has not been discharged, and the interest which may have accrued upon it up to the 31st December 1814 inclusive. That this security shall reserve to the mortgagee that priority of claim over other morgagees and creditors to which he is entitled under his original mortgage; that it shall bear an annual interest, beginning from the 1st January 1815, at the same rate, and payable in the same manner, as that which was payable under the original mortgage; and that the whole amount of the new debt shall be payable by eight annual instalments, the first of which is to become payable on the first of January, 1820.

The new security shall also afford to the mortgagee all those means of legal redress, in the event of non-payment of the interest, or omission to discharge the principal when due, and all those other privileges and advantages to which he would be entitled under his existing mortgage, and shall place him, with respect to the debt for which the new security is given, in the same situation as he stood with respect to his original claim upon the estate, excepting only in what relates to the period at which the payment may be demanded, so that no later creditor shall derive, from this arrangement, any power to affect the rights of the original creditor, and that no further suspension of payment (*surchéance*) beyond that herein agreed upon, shall take place without the original creditor's especial consent.

It is farther agreed, that in order to entitle the mortgagee to receive the security specified in this Article, he shall, as soon as the said security is duly recorded in the said Colony and delivered to the mortgagee or his agent, in the Colony (the expenses of such record being defrayed by the proprietors), deliver up to be cancelled the mortgages or bonds originally granted to him, or exhibit legal proof that the said mortgages and bonds have been duly cancelled, and are no longer of any value.

It is further expressly agreed, that, with the exceptions of the modifications specified in this Article, the rights of mortgagees and creditors shall remain intact.

ART. V. It is agreed that all Dutch proprietors, acknowledged to be such by the present Convention, shall be entitled to supply their estates from the Netherlands with the usual articles of supply; and in return, to export to the Netherlands the produce of the said estates. But that all other importation of goods from the Netherlands into the Colonies, or export of produce from the Colonies to the Netherlands, shall be strictly prohibited; and it is further agreed, that the exportation of all such articles as may be prohibited to be exported to those Colonies from the British dominions, shall be also prohibited to be exported from the Netherlands.

ART. VI. By Dutch proprietors are to be understood:—1. All subjects of his Majesty the King of the Netherlands resident in his said Majesty's European dominions, who are at present proprietors in the said Colonies. 2. All subjects of his said Majesty who may hereafter become possessed of estates now belonging to Dutch proprietors therein. 3. All such proprietors as being now resident in the above Colonies, and being natives of the Netherlands, may (by virtue of Article VIII. of the present Convention) declare that they wish to continue to be considered as such; and 4. All subjects of his said Majesty who may be the holders of mortgages on estates in the said Colonies, made prior to the date of this Convention, and who may, under their mortgage deeds, have the right of exporting from the said Colonies to the Netherlands, the produce of the said estates; subject, nevertheless, to the restrictions specified in Article IX.

ART. VII. In all cases where the right of supplying the mortgaged estate with articles of supply, and exporting produce from it to the Netherlands, is not actually secured to the mortgagee by the mortgage deed, the mortgagee shall be allowed to export from the Colony only such quantity of produce as will be sufficient, when estimated at the current prices of the Colony, to pay the amount of interest or principal annually due to him, and to import into the Colony articles of supply in the same proportion.

ART. VIII. All proprietors, subjects to his Majesty the King of the Netherlands, now residing in the above Colonies, must, in order to entitle themselves to the benefit of this Convention, declare, within three months after the publication of this Convention in the said Colonies, whether they wish to be considered as such.

ART. IX. In all cases where both Dutch and British subjects have mortgages upon the same property in the said Colonies, the quantity of produce to be consigned to the different mortgagees, shall be in proportion to the amount of the debts respectively due to them.

ART. X. In order more easily to carry into effect, and the better to ensure the execution of the provisions of this Convention, it is agreed, that exact and specific lists shall be made out every year, by order of the King of the Netherlands, containing the names and places of abode of the proprietors resident in the Netherlands, together with the name and description of the estate belonging to them respectively, specifying whether the same be a sugar or other plantation, and whether the whole or only part of the estate belongs to the proprietor in question: similar lists shall also be made out of the existing mortgages on estates, in as far as these mortgages are held by Dutch subjects, specifying the amount of the debt on mortgage, either actually existing, or to be made out by virtue of the provisions of Article IV. These lists shall be delivered over to the British government, and shall be sent to the Colonies in question, in order to make out from them, in conjunction with a list of the Dutch proprietors resident in the said Colonies, the whole amount of the Dutch population and property on interest in the said Colonies.

ART. XI. His Majesty the King of the Netherlands, having represented to his Britannic Majesty that the Company of Dutch Merchants and others (styling themselves the Berbice Association), have a just claim to certain estates formerly settled by them in the colony of Berbice, of which they were dispossessed by the Revolutionary Government of Holland, and which, on the capture of the said Colony by his Britannic Majesty, were considered as Government property; his Britannic Majesty engages to restore to the said Berbice Association, within six months after the exchange of the ratifications of the present Convention, the estates of *Dageraad*, *Dankbaarheid*, *Johanna*, and *Sandooul*, together with all the negroes and stock now actually employed upon the same; such restoration to be in full compensation and satisfaction of all claims which the said Association may have, or may pretend to have, against his Britannic Majesty or his subjects, on account of any property heretofore belonging to them in the Colony of Berbice.

ART. XII. All questions of a private nature, relating to such property as comes within the operation of this Convention, shall be decided by competent judicial authority, according to the laws in force in the said colonies.

ART. XIII. His Britannic Majesty engages, that the utmost fairness and impartiality shall be shown in all matters affecting the rights and interests of Dutch proprietors.

ART. XIV. The two High Contracting Parties reserve to themselves the power of making such future modifications in the present Convention, as experience may point out to be desirable for the interest of both.

ART. XV. Lastly, it is agreed, that the provisions of this Convention shall be in force from the date of the exchange of the ratifications.

ART. XVI. The present Convention shall be ratified, and the ratifications thereof shall be exchanged in London, within three weeks from the date hereof, or sooner, if possible. In witness whereof the respective Plenipotentiaries have signed it, and affixed thereunto the seal of their arms. Done at London, the 12th of August 1815.

(Signed) (L. S.) *Bathurst.*
(Signed) (L. S.) *W. Fagel.*

No. XII.—SAXONY.—*Treaty between Great Britain and Saxony, signed at Paris, September* 1815.

In the Name of the Most Holy and Undivided Trinity.

His Majesty the King of the United Kingdom of Great Britain and Ireland, having agreed to the arrangements made respecting Saxony and the Duchy of Warsaw, by the Great Act of Congress, signed on the 9th day of June last, and also by the Treaty of the 18th of May thereto annexed, and herein after particularly set forth; and his Majesty the King of Saxony, desirous of procuring the immediate accession of his Britannic Majesty to the said Treaty of the 18th of May, having invited, and his said Majesty having agreed, to accede thereto by a direct Treaty with his Saxon Majesty; their said Majesties have named; his Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Robert Stewart, Viscount Castlereagh, Knight of the Most Noble Order of the Garter, one of his Majesty's Privy Council, a Member of Parliament, Colonel of the Regiment of Londonderry Militia, and Principal Secretary of State for Foreign Affairs; and his Majesty the King of Saxony, Count de Schulenburg, a Privy Counsellor, Chamberlain of his said Majesty, and Knight of the Order of St. John of Jerusalem; who, having exchanged their respective full powers, have agreed upon the following Articles:

ART. I. His Majesty the King of the United Kingdom of Great Britain and Ireland, accedes to all the stipulations of the Treaty entered into between their Majesties the Kings of Prussia and Saxony, bearing date the 18th of May 1815, and also between his said Majesty the King of Saxony, and the Emperors of Austria and Russia respectively, as hereafter inserted. [Here follows a copy of the Treaty referred to, for which see General Treaty of Congress, Act, No. IV.]

ART. II. His Majesty the King of Saxony accepts of the above Accession, and renews to his Majesty the King of the United Kingdom of Great Britain and Ireland, the engagements therein contained, and engages to fulfil and execute, in the whole and every part thereof, all the stipulations of the said Treaty, which his Saxon Majesty has on his part therein stipulated to fulfil and execute.

ART. III. The present Treaty shall be ratified, and the ratifications exchanged in the term of three months, or sooner, if possible. In witness whereof, the respective Plenipotentiaries have signed it, and have affixed thereunto the seals of their arms. Done at Paris this day of September, 1815.

(Signed) (L. S.) *Castlereagh.*
(Signed) (L. S.) *Le Comte de Schulenburg.*

Definitive Treaty between Great Britain and France, signed at Paris the 20th November 1815, and other Conventions and Documents.] Lord Castlereagh also presented a Paper, intituled, "Class C. Definitive Treaty between his Majesty and his Most Christian Majesty, signed at Paris, the 20th of November 1815; and other Conventions and Documents;" of which the following are Copies:

Class C.

DEFINITIVE TREATY

between his Majesty and his Most Christian Majesty. Signed at Paris the 20th of November, 1815; and other

CONVENTIONS AND DOCUMENTS.

1. *Definitive Treaty between Great Britain and France, signed at Paris, 20th November* 1815.
2. *Additional Article to the preceding Treaty, relative to the Abolition of the Slave Trade, 20 November.*
3. *Convention between Great Britain and France, relative to the Pecuniary Indemnity to be furnished by France to the Allied Powers, 20 November.*
4. *Convention between Great Britain and France, relative to the occupation of a Military Line in France by an Allied Army, 20 November.*
5. *Additional Article to the preceding Convention, relative to Deserters, 20 Nov.*
6. *Tarif, annexed to the preceding Convention, 20 November.*
   Note from the Ministers of the Allied Powers to the Duke of Richelieu, on the nature and extent of the powers attached to the Command of the Duke of Wellington, 20 November.
7. *Convention between Great Britain and France, relative to the claims of British subjects on the French Government, 20 November.*
8. *Additional Article to the preceding Convention, relative to British Merchandize at Bordeaux, 20 November.*
9. *Treaty of Alliance between His Majesty and the Emperor of Austria, 20 Nov.*
10. *Note from the Ministers of the United Cabinets to the Duke of Richelieu, communicating a copy of the said Treaty of Alliance, 20 November.*
11. *Extract of a Protocol, relative to the ter-*

ritories and places ceded by France, 20 November.

12. *Protocol, respecting the distribution of the Seven Hundred Millions of Francs which France is to pay to the Allied Powers*, 20 *November.*
13. *Convention between Great Britain and France, relative to the examination and liquidation of the claims of the subjects of the Allied Powers on France*, 20 *Nov.*
    Additional Article to the preceding Convention, relative to the claims of the House of the Counts de Bentheim and Steinfurth, 20 *November.*
14. *Treaty between His Majesty and the Emperor of all the Russias, respecting the Ionian Islands*, 5 *November.*
15. *Note from Viscount Castlereagh to the Ministers of the Allies, respecting the restitution of the Works of Art*, 11 *Sept.*
16. *Dispatch from the Duke of Wellington to Viscount Castlereagh, on the same subject*, 23 *September.*
17. *Dispatch from Viscount Castlereagh to the Earl of Liverpool, relative to the Abolition of the Slave Trade*, 27 *July.*
    Two Inclosures on the same subject.
    First.—Extract of Protocol of 15*th Conference.*
    Second.—Note from Viscount Castlereagh to Prince Talleyrand thereupon.
18. *Dispatch from Viscount Castlereagh to the Earl of Liverpool, on the same subject*, 29 *July.*
19. *Dispatch from Viscount Castlereagh to the Earl of Liverpool, on the same subject*, 31 *July.*
    Two Inclosures.
    First.—Note from Prince Talleyrand to Viscount Castlereagh, declaring the Slave Trade for ever abolished throughout the dominions of France, 30 *July.*
    Second.—Viscount Castlereagh's reply to the preceding Note, 31 *July.*
20. *A.—Act of Acknowledgment and Guarantee of the Neutrality of Switzerland, on the part of Great Britain, Austria, Russia, Prussia, and France*, 20 *Nov.*
20. *B.—Extract of Protocol respecting the Neutrality of Switzerland*, 3 *November.*

No. I. — DEFINITIVE TREATY, *between France and the Allied Powers, Signed at Paris the 20th of November*, 1815.

In the Name of the Most Holy and Undivided Trinity.

The Allied Powers having by their united efforts, and by the success of their Arms, preserved France and Europe from the convulsions with which they were menaced by the late enterprize of Napoleon Buonaparté, and by the Revolutionary System reproduced in France, to promote its success; participating at present with his Most Christian Majesty in the desire to consolidate, by maintaining inviolate the Royal Authority, and by restoring the operation of the Constitutional Charter, the order of things which had been happily re-established in France, as also in the object of restoring between France and her Neighbours those relations of reciprocal confidence and goodwill which the fatal effects of the Revolution and of the System of Conquest had for so long a time disturbed: persuaded, at the same time, that this last object can only be obtained by an arrangement framed to secure to the Allies proper Indemnities for the Past and solid Guarantees for the Future, they have, in concert with his Majesty the King of France, taken into consideration the means of giving effect to this arrangement; and being satisfied that the Indemnity due to the Allied Powers cannot be either entirely territorial or entirely pecuniary, without prejudice to France in the one or other of her essential interests, and that it would be more fit to combine both the modes, in order to avoid the inconvenience which would result, were either resorted to separately, their Imperial and Royal Majesties have adopted this Basis for their present transactions; and agreeing alike as to the necessity of retaining for a fixed time in the Frontier Provinces of France, a certain number of Allied Troops, they have determined to combine their different arrangements, founded upon these Bases, in a Definitive Treaty. For this purpose, and to this effect, his Majesty the King of the United Kingdom of Great Britain and Ireland, for himself and his Allies on the one part, and his Majesty the King of France and Navarre on the other part, have named their Plenipotentiaries to discuss, settle, and sign, the said Definitive Treaty; namely, his Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Robert Stewart Viscount Castlereagh, Knight of the Most Noble Order of the Garter, a Member of his said Majesty's Most Honourable Privy Council, a Member of Parliament, Colonel of the Londonderry Regiment of Militia, and his said Majesty's Principal Secretary of State for Foreign Affairs; and the Most Illustrious and Most Noble Lord Arthur, Duke, Marquess, and Earl of Wellington, Marquess of Douro, Viscount Wellington of Talavera and of Wellington, and Baron Douro of Wellesley, a Member of his said Majesty's Most Honourable Privy Council, a Field Marshal of his Armies, Colonel of the Royal Regiment of Horse Guards, Knight of the Most Noble Order of the Garter, Knight Grand Cross of the Most Honourable Order of the Bath, Prince of Waterloo, Duke of Ciudad Rodrigo, and a Grandee of Spain of the First Class, Duke of Vittoria, Marquess of Torres Vedras, Count of Vimiera in Portugal, Knight of the Most Illustrious Order of the Golden Fleece, of the Spanish Military Order of St. Ferdinand, Knight Grand Cross of the Imperial Military Order of Maria Theresa, Knight Grand Cross of the Imperial Order of St. George of Russia, Knight Grand Cross of the Order of the Black Eagle of Prussia, Knight Grand Cross of the Portuguese Royal and Military Order of the Tower and Sword, Knight Grand Cross of the Royal and Military Order of Sweden of the Sword, Knight Grand Cross of the Orders of the Elephant of Denmark, of William of the Low Countries, of the Annunciade of Sardinia, of Maximilian Joseph of Bavaria, and of several others, and Commander of the Forces of his Britannic Majesty in France, and of the Army of his Majesty the King of the Low Countries; and his Majesty the King of France and Navarre, the Sieur Armand Emanuel du Plessis Richelieu, Duke of Richelieu, Knight of the Royal and Military Order of Saint Louis, and of the Orders of St. Alexander Newsky, St. Wladomir, and St. George of Russia, Peer of France, First Gentleman of the Chamber of his Most Christian Majesty, his Minister and Secretary of State for Foreign Affairs, and President of the Council of his Ministers; who, having exchanged their Full Powers, found to be in good and due form, have signed the following Articles:

ART. I. The Frontiers of France shall be the same as they were in the year 1790, save and except the modifications on one side and on the other, which are detailed in the present Article. First, on the Northern Frontiers, the Line of Demarcation shall remain as it was fixed by the Treaty of Paris, as far as opposite to Quiverain, from thence it shall follow the ancient limits of the Belgian Provinces, of the late Bishopric of Liege, and of the Duchy of Bouillon, as they existed in the year 1790, leaving the Territories included *(enclavés)* within that line, of Phillippeville and Marienbourg, with the Fortresses so called, together with the whole of the Duchy of Bouillon without the Frontiers of France. From Villers near Orval upon the confines of the Department Des Ardennes, and of the Grand Duchy of Luxembourg as far as Perle, upon the great road leading from Thionville to Treves, the line shall remain as it was laid down by the Treaty of Paris. From Perle it shall pass by Lauensdorff, Walwich, Schardorff, Niederveiling, Pelweiler (all these places with their Banlieues or dependencies remaining to France) to Houvre; and shall follow from thence the old limits of the district *(Pays)* of Sarrebruck, leaving Sarrelouis, and the course of the Sarre, together with the places situated to the right of the line above described, and their Banlieues or dependencies without the limits of France. From the limits of the district of Sarrebruck the line of demarcation shall be the same which at present separates from Germany the departments of the Moselle and of the Lower Rhine, as far as to the Lauter, which river shall from thence serve as the Frontier until it falls into the Rhine. All the territory on the left bank of the Lauter, including the fortress of Landau, shall form part of Germany.

The town of Weissenbourg, however, through which that river runs, shall remain entirely to France, with a rayon on the left bank, not exceeding a thousand toises, and which shall be more particularly determined by the Commissioners who shall be charged with the approaching designation of the boundaries. Secondly, leaving the mouth of the Lauter, and continuing along the departments of the Lower Rhine, the Upper Rhine, the Doubs and the Jura to the Canton de Vaud, the Frontiers shall remain as fixed by the Treaty of Paris. The *Thalweg* of the Rhine shall form the boundary between France and the States of Germany, but the property of the island shall remain in perpetuity, as it shall be fixed by a new survey of the Course of that river, and continue unchanged whatever variation that course may undergo in the lapse of time. Commissioners shall be named on both sides, by the High Contracting Parties, within the space of three months, to proceed upon the said survey. One half of the bridge between Strasbourg and Kehl shall belong to France, and the other half to the Grand Duchy of Baden. Thirdly, in order to establish a direct communication between the Canton of Geneva and Switzerland, that part of the Pays de Gex, bounded on the east by the lake Leman; on the south, by the territory of the Canton of Geneva; on the north, by that of the Canton de Vaud; on the west, by the course of the Versoix, and by a line which comprehends the communes of Collex Bossy, and Meyrin, leaving the commune of Ferney to France, shall be ceded to the Helvetic Confederacy, in order to be united to the Canton of Geneva. The line of the French custom-houses shall be placed to the West of the Jura, so that the whole of the Pays de Gex shall be without that Line. Fourthly, from the frontiers of the Canton of Geneva, as far as the Mediterranean, the line of demarcation shall be that which in the year 1790, separated France from Savoy, and from the County of Nice. The relations which the Treaty of Paris of 1814 had re-established between France and the Principality of Monaco, shall cease for ever, and the same relations shall exist between that Principality and his Majesty the King of Sardinia. Fifthly, all the Territories and Districts included *(enclavés)* within the boundary of the French Territory, as determined by the present Article, shall remain united to France. Sixthly, the High Contracting Parties shall name within three months after the signature of the present Treaty, Commissioners to regulate every thing relating to the designation of the Boundaries of the respective countries, and as soon as the labours of the Commissioners shall have terminated, Maps shall be drawn, and Land-marks shall be erected, which shall point out the respective limits.

ART. II. The Fortresses, Places, and districts, which, according to the preceding Article are no longer to form part of the French Territory, shall be placed at the disposal of the Allied Powers, at the periods fixed by the ninth Article of the Military Convention annexed to the present Treaty; and his Majesty the King of France renounces for himself, his Heirs and successors for ever, the Rights of Sovereignty and property, which he has hitherto exercised over the said Fortresses, Places, and Districts.

ART. III. The Fortifications of Huninguen having been constantly an object of uneasiness to the town of Bâle, the High Contracting Parties, in order to give to the Helvetic Confederacy a new proof of their good-will and of their solicitude for its welfare, have agreed among themselves to demolish the Fortifications of Huninguen, and the French Government engages, from the same motive, not to re-establish them at any time, and not to replace them by other Fortifications, at a distance of less than that of three leagues from the Town of Bâle. The neutrality of Switzerland shall be extended to the Territory situated to the north of a line to be drawn from Ugine, that town being included, to the south of the Lake of Annecy, by Faverge, as far as Lecheraine, and from thence, by the Lake of Bourget, as far as the Rhone, in like manner as it was extended to the Provinces of Chablais and of Faucigny, by the 92d Article of the final Act of the Congress of Vienna.

ART. IV. The pecuniary part of the indemnity to be furnished by France to the Allied Powers, is fixed at the sum of 700 millions of Francs. The mode, the periods, and the guarantees for the payment of this sum, shall be regulated by a Special Convention, which shall have the same Force and Effect as if it were inserted, word for word, in the present Treaty.

ART. V. The state of uneasiness and of fermentation, which after so many violent convulsions, and particularly after the last catastrophe, France must still experience, notwithstanding the paternal intentions of her King, and the advantages secured to every class of his Subjects by the Constitutional Charter, requiring, for the security of the neighbouring States, certain measures of precaution, and of temporary guarantee, it has been judged indispensable to occupy, during a fixed time, by a corps of Allied Troops, certain military positions along the frontiers of France, under the express reserve, that such occupation shall in no way prejudice the Sovereignty of his Most Christian Majesty, nor the state of possession, such as it is recognized and confirmed by the present Treaty. The number of these troops shall not exceed 150,000 men. The Commander in Chief of this army shall be nominated by the Allied Powers. This army shall occupy the Fortresses of Condé, Valenciennes, Bouchain, Cambray, Le Quesnoy, Maubeuge, Landrecies, Avesnes, Recroy, Givet, with Charlemont, Mezières, Sedan, Montmédy, Thionville, Longwy, Bitsch, and the Tête-de-Pont of Fort Louis. As the maintenance of the army destined for this service is to be provided by France, a Special Convention shall regulate every thing which may relate to that object. This Convention, which shall have the same force and effect as if it were inserted word for word in the present Treaty, shall also regulate the relations of the army of occupation with the civil and military authorities of the Country. The utmost extent of the duration of this Military Occupation, is fixed at five Years. It may terminate before that period, if, at the end of Three Years, the Allied Sovereigns, after having, in concert with his Majesty the King of France, maturely examined their reciprocal situation and interests, and the progress which shall have been made in France in the re-establishment of order and tranquillity, shall agree to acknowledge that the motives which led them to that measure have ceased to exist. But whatever may be the result of this deliberation, all the Fortresses and Positions occupied by the Allied Troops shall, at the expiration of five years, be evacuated without further delay, and given up to his Most Christian Majesty, or to his Heirs and Successors.

ART. VI. The Foreign Troops, not forming part of the Army of Occupation, shall evacuate the French Territory within the term fixed by the 9th Article of the Military Convention annexed to the present Treaty.

ART. VII. In all countries which shall change Sovereigns, as well in virtue of the present Treaty, as of the arrangements which are to be made in consequence thereof, a period of six years from the date of the exchange of the ratifications shall be allowed to the inhabitants, natives or foreigners, of whatever condition and nation they may be, to dispose of their property, if they should think fit so to do, and to retire to whatever country they may choose.

ART. VIII. All the dispositions of the Treaty of Paris of the 30th of May 1814, relative to the Countries ceded by that Treaty, shall equally apply to the several Territories and Districts ceded by the present Treaty.

ART. IX. The High contracting Parties having caused representation to be made of the different claims arising out of the non-execution of the nineteenth and following Articles of the Treaty of the 30th of May 1814, as well as of the Additional Articles of that Treaty signed between Great Britain and France, desiring to render more efficacious the stipulations made thereby, and having determined, by two separate Conventions, the line to be pursued on each side for that purpose, the said two Conventions, as annexed to the present Treaty, shall, in order to secure the complete execution of the above-mentioned Articles, have the same force and effect as if the same were inserted, word for word, herein.

ART. X. All Prisoners taken during the hostilities, as well as all Hostages which may have been carried off or given, shall be restored in the shortest time possible. The same shall be the case with respect to the Prisoners taken previously to the Treaty of the 30th of May 1814, and who shall not already have been restored.

ART. XI. The Treaty of Paris of the 30th of May 1814, and the final Act of the Congress of Vienna of the 9th of June 1815, are confirmed, and shall be maintained in all such of their enactments which shall not have been modified by the Articles of the present Treaty.

ART. XII. The present Treaty, with the Conventions annexed thereto, shall be ratified in one Act, and the Ratifications thereof shall be exchanged in the space of two months, or sooner, if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereunto the seals of their arms. Done at Paris this 20th day of November, 1815.

(Signed) (Signed)
(L. S.) *Castlereagh.* (L. S.) *Richelieu.*
(L. S.) *Wellington.*

No. II.—ADDITIONAL ARTICLE.

The High Contracting Powers, sincerely desiring to give effect to the measures on which they deliberated at the Congress of Vienna, relative to the complete and universal abolition of the Slave Trade, and having, each in their respective dominions, prohibited without restriction their Colonies and Subjects from taking any part whatever in this traffic, engage to renew conjointly their efforts, with the view of securing final success to those principles which they proclaimed in the Declaration of the 4th of February 1815, and of concerting, without loss of time, through their Ministers at the Courts of London and of Paris, the most effectual measures for the entire and definitive abolition of a commerce so odious, and so strongly condemned by the laws of religion and of nature.

The present Additional Article shall have the same force and effect as if it were inserted, word for word, in the Treaty signed this day. It shall be included in the ratification of the said Treaty.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereunto the seals of their arms. Done at Paris this 20th day of November, 1815.

(Signed) (Signed)
(L. S.) *Castlereagh.* (L. S.) *Richelieu.*
(L. S.) *Wellington.*

No. III.——CONVENTION *between Great Britain and France, concluded in conformity to the Fourth Article of the Principal Treaty, relative to the Payment of the Pecuniary Indemnity to be furnished by France to the Allied Powers.*

The payment to which France has bound herself to the Allied Powers as an Indemnity by the fourth Article of the Treaty of this day, shall take place in the form and at the periods prescribed by the following Articles:

ART. I. The sum of 700 Millions of Francs, being the amount of the Indemnity, shall be discharged day by day, in equal portions, in the space of five Years, by means of *Bons au Porteur* on the Royal Treasury of France, in the manner that shall be now set forth.

ART. II. The Treasury shall give over immediately to the Allied Powers, Fifteen Engagements for Forty-six Millions and Two-thirds each, forming together the sum of 700 Millions; the first engagement payable on the 31st of March 1816, the second on the 31st of July of the same year, and so on, in every fourth month, during the five successive years.

ART. III. These Engagements shall not be negotiable, but they shall be periodically exchanged against *Bons au Porteur* negotiable, drawn in the form used in the ordinary service of the Royal Treasury.

ART. IV. In the month which shall precede the four in the course of which an Engagement is to be paid, that Engagement shall be divided by the Treasury of France, into *Bons au Porteur* payable in Paris, in equal portions, from the first to the last day of the four months. Thus the Engagement of Forty-six Millions and Two-thirds, falling due the 31st of March 1816, shall be exchanged in the month of November 1815, against *Bons au Porteur* payable in equal portions from the 1st of December 1815, to the 31st of March 1816; the Engagement of Forty-six Millions and Two-thirds which will fall due the 31st of July 1816, shall be exchanged in the month of March of the same year, against *Bons au Porteur* payable in equal portions from the 1st of April 1816 to the 31st of July of the same year; and so on, every four months.

ART. V. No single *Bon au Porteur* shall be delivered for the sum due each day, but the sum so due, shall be divided into several *Coupures* or Bills of 1,000, 2,000, 5,000, 10,000, and 20,000 Francs, the which sums added together, will amount to the sum total of the payment due for each day.

ART. VI. The Allied Powers, convinced that it is as much their interest as that of France, that too considerable a sum of *Bons au Porteur* should not be issued at once, agree that there never shall be in circulation *Bons* for more than Fifty Millions of Francs at a time.

ART. VII. No interest shall be paid by France for the delay of Five Years which the Allied Powers allow to her for the payment of the Seven Hundred Millions of Francs.

ART. VIII. On the 1st of January 1816,

there shall be made over by France to the Allied Powers, as a Guarantee for the regularity of the payments, a fund of interest inscribed in the Grand Livre of the Public Debt of France, of Seven Millions of Francs, on a capital of one hundred and forty millions. This fund of interest shall be used to make good, if there should be need of it, the deficiencies in the *Acceptances* of the French Government, and to render the payments equal, at the end of every Six Months, to the *Bons au Porteur* which shall have fallen due, as shall be hereafter detailed.

ART. IX. This fund of interest shall be inscribed in the name of such persons as the Allied Powers shall point out; but these persons cannot be the holders of the Inscriptions, except in the case provided for in the Eleventh Article ensuing. The Allied Powers further reserve to themselves, the right to transfer the Inscriptions to other names, as often as they shall judge necessary.

ART. X. The Deposit of these Inscriptions shall be confided to one Treasurer named by the Allied Powers, and to another named by the French Government.

ART. XI. There shall be a mixed Commission, composed of an equal number on both sides, of Allied and French Commissioners, who shall examine, every six months, the state of the payments, and shall regulate the balance. The *Bons* of the Treasury paid, shall constitute the payments; those which shall not yet have been presented to the Treasury of France, shall enter into the account of the subsequent balance; those also which shall have fallen due, been presented, and not paid, shall constitute the arrear, and the sum of Inscriptions to be applied at the market price of the day, to cover the deficit. As soon as that operation shall have taken place, the *Bons* unpaid shall be given up to the French Commissioners, and the mixed Commission shall order the Treasurers to pay over the sum so determined upon, and the Treasurers shall be authorized and obliged to pay it over to the Commissioners of the Allied Powers, who shall dispose of it as they shall think proper.

ART. XII. France engages to replace immediately in the hands of the Treasurers, an amount of Inscriptions equal to that which may have been made use of, according to the foregoing Article, in order that the fund stipulated in the Eighth Article may be always kept at its full amount.

ART. XIII. France shall pay an interest of Five per Cent. per Annum from the date of the *Bons au Porteur* falling due, upon all such *Bons* the payment of which may have been delayed by the act of France.

ART. XIV. When the first 600 Millions of Francs shall have been paid, the Allies, in order to accelerate the entire liberation of France, will accept, should it be agreeable to the French government, the Fund mentioned in the Eighth Article at the market price of that day, to such an amount as will be equal to the remainder due of the 700 Millions. France will only have to furnish the difference, should any exist.

ART. XV. Should this plan not be convenient to France, the 100 Millions of Francs which would remain due, may be discharged in the manner pointed out in the Second, Third, Fourth, and Fifth Articles; and, after the complete payment of the 700 Millions, the Inscriptions stipulated for in the Eighth Article shall be returned to France.

ART. XVI. The French government engages to execute, independently of the pecuniary indemnity stipulated by the present Convention, all the Engagements stipulated for in the Special Conventions concluded with the different Powers and their Co-Allies, relative to the Clothing and Equipment of their Armies; and engages for the exact deliverance and payment of the *Bons* and *Mandats* arising from the said Conventions, in as far as they shall not have been already discharged at the time of the signature of the Principal Treaty, and of the present Convention. Done at Paris this 20th day of November 1815.

(Signed) (Signed)
(L. S.) *Castlereagh.* (L. S.) *Richelieu.*
(L. S.) *Wellington.*

No. IV.—CONVENTION *between Great Britain and France, concluded in conformity to the Fifth Article of the Principal Treaty, relative to the occupation of a Military Line in France, by an Allied Army.*

ART. I. The composition of the Army of 150,000 men, which, in virtue of the Fifth Article of the Treaty of this day, is to occupy a military line along the Frontiers of France; the force and nature of the contingents to be furnished by each Power, as well as the choice of the Generals who are to command those troops, shall be determined by the Allied Sovereigns.

ART. II. This army shall be maintained by the French government in the manner following: The lodging, the fuel and lighting, the provisions and forage, are to be furnished in kind. It is agreed that the total amount of daily rations shall never exceed 200,000 for men, and 50,000 for horses, and that they shall be issued according to the Tarif annexed to the present Convention. With respect to the pay, the equipment, the clothing, and other incidental matters, the French government will provide for such expense by the payment of a sum of Fifty Millions of Francs per annum, payable in specie from month to month, from the 1st of December 1815, into the hands of the Allied Commissioners. But the Allied Powers, in order to concur as much as possible in every thing which can satisfy his Majesty the King of France, and relieve his subjects, consent that only Thirty Millions of Francs, on account of pay, shall be paid in the first year; on condition of the difference being made up in the subsequent years of the occupation.

ART. III. France engages equally to provide for the keeping up of the Fortifications and of the buildings of the Military and Civil Administrations, as well as for the arming and provisioning the Fortresses which, in virtue of the Fifth Article of the Treaty of this day, are to remain as a deposit in the hands of the Allied troops. These respective services, which are to be regulated upon the principles adopted by the French Administration of the War Department, shall be executed upon demand, addressed to the French government by the Commander in Chief of the Allied Troops, with whom some plan shall be agreed upon for ascertaining what may be needful, and concerting the measures necessary to remove all difficulties which may arise, and for accomplishing the object of this stipulation in a manner equally satisfactory to the interests of the respective parties. The French government will take such measures as it shall judge to be the most effectual, for securing the accomplishment of the different services stated in this and in the preceding Article; and will concert to that effect with the Commander in Chief of the Allied Troops.

ART. IV. In conformity to the Fifth Article of the Principal Treaty, the Military Line to be occupied by the Allied Troops, shall extend along the Frontiers which separate the Departments of the Pas de Calais, of the North of the Ardennes, of the Meuse, of the Moselle, of the Lower Rhine, and of the Upper Rhine, from the interior of France. It is further agreed, that neither the Allied Troops nor the French Troops, shall occupy (except it be for particular reasons, and by common consent) the Territories and Districts hereafter named, *id est.* In the Department of the Somme, all the Country north of that River, from Ham, to where it falls into the Sea; in the Department of l'Aisne, the Districts of St. Quentin, Vervins and Laôn; in the Departments of the Marne, those of Rheims, St. Ménéhould, and Vitry; in the Department of the Upper Marne, those of St. Dizier and Joinville; in the Department of the Meurthe, those of Toul, Dieuze, Sarrebourg and Blamont; in the Department of the Vosges, those of St. Diez, Brugères and Remiremont. The District of Lure, in the Department of the Upper Saône; and that of St. Hyppolite in the Department of the Doules.

Notwithstanding the occupation, by the Allies, of the portion of territory fixed by the Principal Treaty, and by the present Convention, his Most Christian Majesty may, in the towns situated within the territory occupied, maintain garrisons, the number of which, however, shall not exceed what is laid down in the following enumeration: At Calais 1,000 men, Gravelines 500, Bergues 500, St. Omer 1,500, Béthune 500, Montreuil 500, Hesdins 250, Ardres 150, Aire 500, Arras 1,000, Boulogne 300, St. Venant 300, Lille 3,000, Dunkirk and its Forts 1,000, Douay and Fort de Scarpe 1,000, Verdun 500, Metz 3,000, Lauterbourg 200, Weissenbourg 150, Lichtenbourg 150, Petite Pierre 100, Phalsbourg 600, Strasbourg 3,000, Schlestadt 1,000, Neuf Brisach and Fort Mortier 1,000, Befort 1,000.

It is, however, well understood, that the *Material* belonging to the Engineer and Artillery Departments, as well as such Articles of Military Equipment as do not properly belong to those Fortresses, shall be withdrawn from them, and shall be transported to such places as the French government shall think fit, provided those places are situated without the line occupied by the Allied Troops, and without the Districts in which it is agreed not to leave any troops either Allied or French. If any infraction of the above stipulations should come to the knowledge of the Commander in Chief of the Allied Armies, he shall make his representations on the subject to the French government, which engages to do what is right thereupon. The Fortresses above mentioned being, at this moment, unprovided with Garrisons, the French government may place therein, as soon as it shall think fit, the number of troops fixed as above, apprizing always before-hand the Commander in Chief of the Allied Troops, in order to avoid any difficulty and delay which the French troops might experience in their march.

ART. V. The Military Command in the whole extent of the Departments which shall remain occupied by the Allied Troops, shall belong to the General in Chief of those troops; it is, however, distinctly understood, that it shall not extend to the Fortresses which the French Troops are to occupy, in virtue of the Fourth Article of the present Convention, nor to a rayon of a Thousand Toises around each of these places.

ART. VI. The Civil Administration, the Administration of Justice, and the collection of Taxes and Contributions of all sorts, shall remain in the hands of the agents of his Majesty the King of France. The same shall be the case with respect to the Customs. They shall remain in their present state, and the Commanders of the Allied Troops shall throw no obstacle in the way of the measures to be taken by the officers employed in that service, to prevent frauds: they shall even give them, in case of need, succour and assistance.

ART. VII. To prevent all abuses which might affect the regulations of the Customs, the Clothing and Equipment, and other necessary articles destined for the Allied Troops, shall not be allowed to enter, except they be furnished with a Certificate of Origin, and in pursuance of a communication to be made by the Commanding Officers of the different corps to the General in Chief of the Allied Army, who will, on his part, cause information to be given thereof to the French government, who will, in consequence thereof, issue the proper orders to their officers employed in the administration of the Customs.

ART. VIII. The service of the *Gen-d'Armerie* being acknowledged as necessary to the maintenance of order and public tranquillity, shall continue, as hitherto, in the Countries occupied by the Allied Troops.

ART. IX. The Allied Troops, with the exception of those that are to form the Army of Occupation, shall evacuate the territory of France in twenty-one days after the signature of the Principal Treaty. The territories which, according to that Treaty, are to be ceded to the Allies, as well as the Fortresses of Landau and Sarre-Louis, shall be delivered up by the French Authorities and troops, in ten days from the date of the signature of the Treaty. Those places shall be given up in the state in which they were on the 20th of September last. Commissioners shall be named on both sides, to ascertain and declare that state; and to deliver and receive respectively the Artillery, the Military Stores, Plans, Models, and Archives belonging as well to the said places, as to the different Districts ceded by France accordingly to the Treaty of this day. Commissioners shall also be named to examine and ascertain the state of those places still occupied by the French troops, and which, according to the Fifth Article of the Principal Treaty, are to be held in deposit, for a certain time, by the Allies. These places shall also be delivered up to the Allied Troops in ten days from the date of the signature of the Treaty. Commissioners shall also be named by the French Government, on one part, and by the General commanding in Chief, the Allied Troops destined to remain in France, on the other; also by the General commanding the Allied Troops which are at present in possession of the Fortresses of Avesnes, Landrecy, Maubeuge, Rocroy, Givet, Montmedy, Longwy, Mezières, and Sedan, to ascertain and declare the state of those places, and of the Military Stores, Maps, Plans, Models, &c. which they shall contain at the moment which shall be considered as that of the occupation, in virtue of the Treaty. The Allied Powers engage to restore, at the expiration of the temporary occupation, all the places named in the Fifth Article of the Principal Treaty, in the state in which they shall have been found at the time of that occupation, save and except the Damages which may have been caused by time, and which the French Government should not have provided against by the necessary repairs.

Done at Paris, this 20th day of November, 1815.

Signed Signed
(L. S.) *Castlereagh.* (L. S.) *Richelieu.*
(L. S.) *Wellington.*

No. V.—ADDITIONAL ARTICLE *to the Military Convention, signed at Paris the 20th of November* 1815.

The High Contracting Parties having agreed, by Article 5, of the Treaty of this day, to occupy for a certain period, with an Allied Army, Military Positions in France, and being desirous of anticipating all that might hazard the order and discipline which it is so important to maintain in that army, it is determined upon by the present Additional Article, that every Deserter, who, from either of the corps of the said army, should go over to the French side, shall immediately be arrested by the French Authorities, and delivered up to the nearest Commander of the Allied Troops, in like manner as all Deserters from the French Troops, who might come over towards the Allied Army, shall be immediately delivered up to the nearest French Commandant. The tenor of this Article is to apply equally to such Deserters from either side who may have forsaken their colours previously to the signature of the Treaty; the same to be without delay restored and delivered up to the respective corps to which they may belong. The present additional Article shall have the same force and validity as if it were inserted, word for word, in the Military Convention of this day. In faith whereof the respective Plenipotentiaries have signed it, and have affixed thereunto the seals of their arms.

Done at Paris, the 20th Nov. 1815.

(Signed) (Signed)
(L. S.) *Castlereagh.* (L. S.) *Richelieu.*
(L. S.) *Wellington.*

No. VI.—Tarif annexed to the Convention relative to the occupation of a military line in France by an Allied Army.

Note *from the Allied Ministers to the Duke de Richelieu, on the nature and extent of the Powers, attached to the command of the Duke of Wellington; Paris, Nov. 20th,* 1815.

The Allied Sovereigns having entrusted Field Marshal the Duke of Wellington with the command in chief of that portion of their troops which, by Art. V. of the Treaty concluded this day with France, is to remain in that country for a certain number of years, the undersigned Ministers of the Cabinets, &c. &c. &c. think it advisable to come to an understanding with his Excellency the Duke de Richlieu upon the nature and extent of the powers attached to this command.

Although chiefly led to the adoption of this measure by motives of consideration for the security and welfare of their own subjects, and far from having the intention of employing their troops in the maintenance of the police or interior administration of France, or of interfering with or shackling the free exercise of the royal authority in that country, the Allied Sovereigns have, nevertheless, in consideration of the high interest which induces them to strengthen the authority of the legitimate Sovereign promised to his Most Christian Majesty, to support him with their arms against all revolutionary convulsion, tending to overturn by force the state of things actually established, and which would thus threaten anew the tranquillity of Europe.

But not forgetting that under the variety of shapes in which the revolutionary spirit might still show itself in France there might be doubts as to what cases might require the interference of a foreign force, and being well aware of the difficulty of giving precise instructions, applicable to each particular case, the Allied Sovereigns have thought it most advisable to confide to the known prudence and discretion of the Duke of Wellington, the determination of the time and mode in which it would be proper to employ the troops under his orders, in a full confidence that he will in no case act without having previously concerted his measures with his Majesty the King of France, and that he will acquaint, as soon as possible, the Allied Sovereigns with the motives which have engaged him to take his determinations.

And, as in order to assist the Duke of Wellington, in the choice of his dispositions, it will be important that he should be accurately informed of the events which take place in France, the ministers of the four Allied Courts accredited to his Most Christian Majesty have received orders to keep up jointly a regular correspondence with his grace, and to be at the same time the regular channel of communication between the French government and the Commander in Chief of the Allied troops, for the purpose of forwarding to the French government those communications which the Duke of Wellington may have to address to it, and also transmit to the Field Marshal those views and applications which the Court of France might wish he should receive.

The undersigned hope that the Duke de Richelieu will perceive in these arrangements the same character and the same principles in which the measure of the military occupation of part of France has been conceived and adopted. They, moreover, carry with them, in quitting this country, the consolatory persuasion, that notwithstanding the elements of disorder which France may still contain in consequence of the revolutionary events, a wise and paternal government, acting on principles adapted to compose and conciliate the minds of the people, and abstaining from all acts contrary to such system will succeed not only in maintaining the public repose, but also in re-establishing universal union and confidence, while it will relieve the Allied Powers, as far as the measures of the government will admit, from the painful necessity of recurring to the adoption of means, which, in the event of renewed disorder, would be imperiously prescribed to them by the duty of providing for the security of their own subjects, and the general tranquillity of Europe.

The undersigned, &c.

(Signed)	(Signed)
Castlereagh.	*Capo D'Istria.*
Hardenberg.	*Rasoumoffsky.*
Metternich.	*Wessenberg.*

No. VII.—CONVENTION *between Great Britain and France, concluded in conformity to the Ninth Article of the Principal Treaty, relative to the Examination and Liquidation of the Claims of the Subjects of his Britannic Majesty against the Government of France.*

ART. I. The subjects of his Britannic Majesty, having Claims upon the French Government, who, in contravention of the Second Article of the Treaty of Commerce of 1786, and since the 1st of January 1793 have suffered on that account, by the Confiscations or Sequestrations decreed in France, shall, in conformity to the Fourth Additional Article of the Treaty of Paris of the year 1814, themselves, their heirs or assigns, subjects of his Britannic Majesty, be indemnified and paid, when their claims shall have been admitted as legitimate, and when the amount of them shall have been ascertained, according to the forms and under the conditions hereafter stipulated.

ART. II. The subjects of his Britannic Majesty, holders of permanent Stock under the French Government, and who on that account have, since the first of January 1793, suffered by the Confiscations or Sequestrations decreed in France, shall themselves, their heirs or assigns, subjects of his Britannic Majesty, be inscribed in the Great Book of the consolidated Debt of France, for an amount of Stock equal to the amount of the Stock they possessed prior to the Laws and Decrees of Sequestration or of Confiscation above mentioned. In the cases in which the Edicts or Decrees constituting the above-mentioned Stock shall have added thereto profitable conditions, or favourable chances, account shall be had thereof in favour of the Creditors, and an addition, founded upon a just evaluation of such advantages, shall be made to the amount of the Stock to be inscribed. The new Inscriptions shall bear date and bear interest from the 22nd of March 1816. Such subjects of his Britannic Majesty who, by receiving their annuities at a third, after the 30th of September 1797, have submitted themselves by their own act to the laws existing upon this subject, are exempted from the above-mentioned dispositions.

ART. III. Such of the subjects of his Britannic Majesty or their heirs or assigns, subjects of his Britannic Majesty, as possessed Life Annuities from the French Government before the Decrees of Confiscation or Sequestration, shall equally be inscribed upon the Great Book of the Life Annuities of France, for the same sum of Life Annuities as they enjoyed in 1793. Such of the subjects of his Britannic Majesty, however, as have changed the nature of their claims, by receiving their annuities at a third, and thus by their own act have submitted themselves to the laws existing upon this subject shall be excepted from the above dispositions. The new inscriptions shall bear date, and bear interest from the 22nd of March, 1816. Prior to the delivery of the new Inscriptions, the claimants shall be bound to produce certificates, according to the usual form, declaring that the persons in whose names their Life Annuities were constituted are still alive. With respect to those of the above-mentioned subjects of his Britannic Majesty possessing Life Annuities in the names of persons who are dead, they shall be bound to produce Certificates of Demise, in the usual forms, stating the period of the decease; and in that case, the Annuities shall be paid up to such period.

ART. IV. Such arrears of the Perpetual and Life Annuities as shall have been liquidated and allowed, and as shall be due up to the 22nd of March next exclusively, save the cases of exemption specified in the Second and Third Articles, shall be inscribed in the Great Book of the Public Debt of France, at the rate which shall be the medium price between par and the current market price of the day, at the date of the signature of the present Treaty. The Inscriptions shall bear date and bear interest from the 22nd of March, 1816, inclusively.

ART. V. In order to determine the Capital due on immoveable property which belonged to subjects of his Britannic Majesty, to their heirs or assigns, equally subjects of his Britannic Majesty, and which was sequestered, confiscated and sold, the following process shall be had: The said subjects of his Britannic Majesty shall be obliged to produce; 1st, the Deed of Purchase proving their proprietorship: 2ndly, the acts proving the facts of the sequestration, and of the confiscation against themselves, their ancestors or assignors, subjects of his Britannic Majesty. In default however of all proofs in writing, considering the circumstances under which the confiscations and sequestrations took place, and those which have since arisen, such other proof shall be admitted as the Commissioners of Liquidation hereafter mentioned shall judge sufficient in lieu thereof.—The French government further engages to facilitate by every means, the production of all titles and proofs serving to substantiate the claims to which the present Article refers, and the Commissioners shall be authorized to make all search, which they shall judge necessary to arrive at such information, and to obtain the production of such titles and proofs; they shall also be empowered to examine upon oath, in case of need, such persons employed in the public offices, as may have it in their power to point them out, or to furnish them.

The value of the said immoveable property shall be determined and fixed by the production of an extract of the "*Matrice,*" of the "*Roles,*" of the "*Contribution foncière*" for the year 1791, and at the rate of twenty times the revenue mentioned in the said "*Roles.*" If the "*Matrices*" should no longer exist, and that it should therefore be impossible to produce the extracts, the claimants shall be authorised to furnish such other proofs, as shall be admitted by the Commission of Liquidation mentioned in the following Articles.—The capital thus liquidated and allowed shall be inscribed upon the Great Book of the Public Debt of France, at the rate which has been fixed in the fourth Article for the inspection of the arrears of the annuities; and the Inscriptions shall bear date and shall bear interest from the 22nd of March next inclusively.—The arrears due upon the said capital from the period of its sequestration, shall be calculated at the rate of four per cent. per annum, without deduction, and the whole amount of those arrears up to the 22nd of March next exclusively, shall be inscribed in the Great Book of the Public Debt of France at the rate above-mentioned, and shall bear interest from the 22nd of March next inclusively.

ART. VI. In order to fix the capital as well as the arrears which shall be due to such of the subjects of his Britannic Majesty, whose moveable property in France has been sequestered, confiscated and sold, or to their heirs or assigns, subjects of his Britannic Majesty, the following process shall be had: The claimants shall be obliged to produce: 1st, the *procès verbal* containing the inventory of the moveable effects seized or sequestered. 2ndly, the *procès verbal* of the sale of the said effects, or in default of proofs in writing, such other proof as the respective Commissioners of the two Powers shall judge sufficient in lieu thereof, according to the principles established in the preceding Article; the French government engaging in this respect to give the same facilities, and the Commissioners are authorized to make the same search, and to take the same measures, as have been detailed in the foregoing Article, with respect to immoveable property. The amount of the stock arising from the seizures and sales of the moveable property shall be thus determined; regard being always had to those periods during which paper money was in circulation and to the fictitious augmentation of prices resulting therefrom.—The capital liquidated and allowed shall be inscribed upon the Great Book of the Public Debt of France, at the rate which has been fixed by the preceding Articles, and the Inscriptions shall bear date, and shall bear interest from the 22nd of March next inclusively.—The arrears liquidated and allowed, due upon the said capital from the period at which the claimant was deprived of the possession of his or her moveable property, shall be calculated at the rate of three per cent. per annum, without deduction, and the whole amount of the said arrears up to the 22nd of March next, exclusively, shall be inscribed upon the Great Book of the Public Debt of France, at the rate above mentioned, and shall bear interest from the 22nd of March next, inclusively.—The vessels, ships, cargoes and other moveable property which shall have been seized and confiscated either to the profit of France, or to the profit of the subjects of his Most Christian Majesty, in conformity to the Laws of War, and the prohibitory Decrees, shall not be admitted to the liquidation, nor to the payments mentioned in the present Article:

ART. VII. The claims of the subjects of his Britannic Majesty, arising from the different loans made by the French government, or from mortgages upon property sequestered, seized and sold by the said government, or any other claim whatsoever, not comprised in the preceding Articles, and which would be admissible according to the terms of the fourth Additional Article of the Treaty of Paris of 1814, and of the present Convention shall be liquidated and fixed, adopting with respect to each claim, the modes of admission, of verification, and of liquidation, which shall be conformable to their respective natures, and which shall be defined and fixed by the mixed Commission mentioned in the following Articles, according to the principles laid down in the above Articles.—These claims thus liquidated, shall be paid in Inscriptions in the Great Book at the rate above mentioned, and the Inscriptions shall bear date, and shall bear interest from the 22nd of March next inclusively.—In the cases wherein the Edicts or Decrees constituting the claims abovementioned shall have assured to the creditors the reimbursement of the capitals, and other profitable conditions or favourable chances, account shall be had thereof to the benefit of the claimants, as detailed above in Article II.

ART. VIII. The amount of the Inscriptions arising to each creditor from his claims liquidated and allowed shall be divided by the Commissioners of Deposit, into five equal portions: the first of which shall be delivered immediately after liquidation, the second three months after, and so on with respect to the other portions, every three months; the creditors will nevertheless, receive the interests of the whole of their debts liquidated, and allowed from the 22d of March 1816, inclusive, as soon as their respective claims shall have been allowed and admitted.

ART. IX. A capital, producing an interest of 3,500,000 Francs, commencing from the 22d of March 1816, shall be inscribed as a fund of guarantee, in the Great Book of the Public Debt of France, in the name of two or four Commissioners, the one half English and the other half French, chosen by their respective governments. These Commissioners shall receive the said interest from the 22d of March 1816, every six months; they shall hold it in deposit, without having the power of negociating it, and they shall further be bound to place the amount of it in the Public Funds, and to receive the accumulated and compound interest of the same, for the profit of the creditors. In case the 3,500,000 Francs of interest shall be insufficient, there shall be delivered to the said Commissioners Inscriptions for larger sums, until their amount shall be equal to what may be necessary to pay all the debts mentioned in the present Act. These Additional Inscriptions, if there shall be any, shall be delivered, bearing interest from the same period as the 3,500,000 Francs, above stipulated, and shall be administered by the Commissioners, according to the same principles, so that the claims which shall remain to be paid, shall be paid with the same proportion of accumulated and compound interest, as if the Fund of Guarantee had been from the first sufficient, and as soon as all the payments due to the creditors shall have been made, the surplus of the interest fund not employed, with the proportion of accumulated and compound interest which shall belong thereto, shall, if there be any, be given up to the disposal of the French government.

ART. X. In proportion as the liquidation shall be effected, and as the claims shall be allowed, distinction being made between the sums representing the capitals, and the sums arising from the arrears or interest, the Commission of Liquidation, which shall be mentioned in the following Articles, shall deliver to the creditors, allowed to be such, two certificates for the value of the whole inscription to be made, bearing interest from the 22d of March 1816, inclusive; one of the certificates relating to the capital of the debt, and the other relating to the arrears, or interest liquidated up to the 22d of March 1816 exclusively.

ART. XI. The certificates above mentioned shall be delivered over to the Commissioners holding the annuities in deposit, who shall check the same, in order that they be immediately inscribed into the Great Book of the Public Debt of France, to the debit of the deposit fund, and to the credit of the new creditors, acknowledged as such, bearers of the said certificates, care being taken to distinguish the Perpetual from the Life Annuities. And the said creditors shall be authorised from the day of the definitive liquidation of their claims, to receive, for their profit, from the said Commissioners the interests which are due to them, together with the accumulated and compound interests, if there be any, as well as such portion of the capital as shall have been paid, according to what has been regulated by the preceding Articles.

ART. XII. A further delay shall be allowed, after the signature of the present Convention, to the subjects of his Britannic Majesty, who shall have claims upon the French Government, for the matters specified in the present

Act, in order that they may bring forward their claims and produce their titles.—This delay shall be extended to three months for the creditors residing in Europe, six months for such as are in the Western colonies, and twelve months for such as are resident in the East Indies, or in other countries equally distant. After the expiration of these periods, the said subjects of his Britannic Majesty shall no longer have the benefit of the present liquidation.

ART. XIII. In order to proceed in the liquidation and allowance of the claims mentioned in the preceding Articles, there shall be formed a commission, composed of two French and two English commissioners, who shall be nominated and appointed by their respective Governments. These Commissioners after they shall have allowed and admitted the titles to the claims, shall proceed, according to the principles pointed out, to the allowance, liquidation, and determination of the sums which shall be due to each creditor. In proportion as the claims shall be allowed and ascertained, they shall deliver to the creditors the two certificates mentioned in the 10th Article, one for the capital, the other for the interests.

ART. XIV. A Commission of Arbitrators shall at the same time be named, composed of four members, two of whom shall be named by the British Government and two by the French Government. If it shall be necessary to call upon the Arbitrators, in case of an equality of votes on any point, the four names of the Arbitrators, English and French, shall be put into an urn, and the one of the four whose name shall be drawn first shall be the Arbitrator of the particular affair upon which there shall have been such equality of votes. Each of the Commissioners of Liquidation shall, in his turn, take from the urn the ticket which is to point out the Arbitrator. A *Procès-verbal* shall be made of this operation, and shall be annexed to the one which shall be drawn up for the liquidation and determination of the particular claim. If a vacancy shall take place, either in the commission of liquidation or in that of arbitration, the government, which ought to provide for the nomination of a new member, shall proceed to that nomination without delay, in order that the two commissions may always remain as far as possible complete. If one of the Commissioners of Liquidation shall be absent, he shall be replaced, during his absence, by one of the Arbitrators of his nation; and as in that case there will remain but one arbitrator of that nation, the two arbitrators of the other nation shall also be reduced to one by lot. And if one of the Arbitrators should absent himself, the same operation shall take place, in order to reduce to one the two Arbitrators of the other nation. It is generally understood, that in order to obviate all manner of delay in this business, the liquidation and adjudication shall not be suspended provided there shall be present, and in activity, one Commissioner and one Arbitrator of each nation, the principle of equality between the Commissioners and the Arbitrators of the two nations being always preserved and re-established if necessary by lot. Whenever either of the Contracting Powers shall proceed to the nomination of new Commissioners of Liquidation, of Deposit, or of Arbitration, the said Commissioners shall be obliged, previously to their entering upon their functions, to make the oath, and in the forms detailed in the following Article.

ART. XV. The Commissioners of Liquidation, the Commissioners of Deposit, and the Arbitrators shall together make oath, in presence of the Ambassador of his Britannic Majesty, and between the hands of the Keeper of the Seals of France, to proceed justly and faithfully, to have no preference either for the creditor or for the debtor, and to act in all their proceedings according to the stipulations of the Treaty of Paris of the 30th of May 1814, and of the Treaties and Conventions with France signed this day, and more particularly according to those of the present Convention. The Commissioners of Liquidation and the Arbitrators shall be authorised to call witnesses whenever they shall judge it necessary and to examine them by oath in the usual forms, upon all points relative to the different claims which form the object of this Convention.

ART. XVI. When the 3,500,000 francs of interest, mentioned in the 9th Article, shall have been inscribed in the name of the Commissioners who are to hold that sum in deposit, and on the first demand which shall be thereafter made by the French Government, his Britannic Majesty shall give the necessary orders to carry into execution the restoration of the French colonies, as stipulated by the Treaty of Paris of the 30th of May 1814, comprehending Martinique and Guadaloupe, which have been since occupied by the British Forces. The inscription above mentioned shall be made before the 1st of January next, at the latest.

ART. XVII. The prisoners of war, officers and soldiers, both naval and military, or of any other description, taken during the hostilities which have lately ceased, shall on both sides be immediately restored to their respective countries, under the same conditions which are specified in the Convention of the 23d of April 1814, and in the Treaty of the 30th of May of the same year; and the British Government renounces all claim to any sums or indemnities whatsoever, which might belong to it from the surplus arising from the maintenance of the said prisoners of war, subject nevertheless to the condition specified in the 4th Additional Article of the Treaty of Paris of the 30th of May 1814.

Done at Paris the 20th day of Nov. 1815.

(Signed) (Signed)
(L. S.) *Castlereagh.* (L. S.) *Richelieu.*
(L. S.) *Wellington.*

No. VIII.—ADDITIONAL ARTICLE *to the preceding Convention, relative to British Merchandise at Bourdeaux.*

The claims of the subjects of his Britannic Majesty founded on a decision of his Most Christian Majesty relative to the British merchandise introduced into Bordeaux, in conformity to the tarif of customs published in the above-mentioned city, by his Royal Highness the Duke d'Angouleme, on the 24th of March 1814, shall be liquidated and paid, according to the principles and the object declared in the above-mentioned decision of his Most Christian Majesty. The Commission instituted by the 13th Article of the Convention of this day is directed to proceed immediately to the liquidation of the said claim, and to fix the dates of its payment to be made in money. The decision which shall be made by the commissioners shall be executed immediately, according to its form and tenor. The present Additional Article shall have the same force and effect as if it were inserted word for word in the Convention signed this day relative to the examination and liquidation of the claims of the subjects of his Britannic Majesty against the Government of France.

In witness whereof, the respective Plenipotentiaries have signed it, and have thereto affixed the seals of their arms.—Done at Paris, the 20th day of November 1815.

(Signed)
(L. S.) *Castlereagh.*
(L. S.) *Wellington.*

(Signed)
(L. S. *Richelieu.*

No. IX.—TREATY *of Alliance and Friendship between His Britannic Majesty, and the Emperor of Austria. Signed at Paris the 20th of November* 1815.

In the name of the Most Holy and Undivided Trinity.

The purpose of the Alliance concluded at Vienna the 25th day of March 1815, having been happily attained by the re-establishment in France of the order of things which the last criminal attempt of Napoleon Buonaparté had momentarily subverted; Their Majesties the King of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, King of Hungary and Bohemia, the Emperor of all the Russias, and the King of Prussia, considering that the Repose of Europe is essentially interwoven with the confirmation of the order of things founded on the maintenance of the Royal Authority and of the Constitutional Charter, and wishing to employ all their means to prevent the general tranquillity, (the object of the wishes of mankind and the constant end of their efforts) from being again disturbed; desirous moreover to draw closer the ties which unite Them for the common interests of Their People, have resolved to give to the principles solemnly laid down in the Treaties of Chamont of the 1st of March 1814, and of Vienna of the 25th of March 1815, the application the most analagous to the present state of affairs, and to fix beforehand by a solemn Treaty the Principles which They propose to follow, in order to guaranty Europe from the dangers by which She may still be menaced; for which purpose the High Contracting Parties have named to discuss, settle and sign the conditions of this Treaty, namely; His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Robert Stewart Visc. Castlereagh, Knight of the Most Noble Order of the Garter, Member of his Majesty's Most Honourable Privy Council, Member of the Parliament of the United Kingdom, Colonel of the Londonderry Regiment of Militia, and His Majesty's Principal Secretary of State for Foreign Affairs; and the Most Illustrious and Most Noble Lord Arthur, Duke, Marquess and Earl of Wellington, Marquess of Douro Viscount Wellington of Talavera and of Wellington, and Baron Douro, of Wellesley, one of His said Majesty's Privy Councillors, Field Marshal of His Armies, Colonel of the Royal Regiment of Horse Guards, Knight of the Most Noble Order of the Garter, Grand Cross of the Most Honourable Order of the Bath, Prince of Waterloo, Duke of Ciudad Rodrigo, and a Grandee of Spain of the First Class, Duke of Vittoria, Marquess of Torres Vedras, Earl of Vimeira in Portugal, Knight of the Most Illustrious Order of the Golden Fleece, of the Spanish Military Order of St. Ferdinand, Grand Cross of the Imperial Military Order of Maria Theresa, Grand Cross of the Imperial Order of St. George of Russia, Grand Cross of the Order of the Black Eagle of Prussia, Grand Cross of the Royal Portuguese Military Order of the Tower and Sword, Grand Cross of the Royal Swedish Military Order of the Sword, Grand Cross of the Orders of the Elephant of Denmark, of William of the Netherlands, of the Annunciation of Sardinia, of Maximilian Joseph of Bavaria, and of several others, and Commander in Chief of the British Armies in France and those of His Majesty the King of the Netherlands; and His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Clement Wenceslas Lothaire, Prince of Metternich-Winnebourgh-Ochsenhausen, Knight of the Golden Fleece, Grand Cross of the Royal Order of St. Stephen, Knight of the Orders of St. Andrew, of Saint Alexander Newsky, and of St. Anne of the First Class, Grand Cordon of the Legion of Honour, Knight of the Order of the Elephant, of the Supreme Order of the Annunciation, of the Black and of the Red Eagle, of the Seraphim, of St. Joseph of Tuscany, of St. Hubert, of the Golden Eagle of Wurtemberg, of Fidelity of Baden, of St. John of Jerusalem, and of several others, Chancellor of the Military Order of Maria-Theresa, Curator of the Academy of Fine Arts, Chamberlain and Privy Councillor of His Majesty the Emperor of Austria, King of Hungary and Bohemia, His Minister of State, of Conferences and for Foreign Affairs; and the Sieur John Philip Baron of Wessenberg, Grand Cross of the Royal Order of St. Stephen, Grand Cross of the Military and Religious Orders of St. Maurice and of St. Lazarus, Grand Cross of the Order of the Red Eagle of Prussia, of that of the Crown of Bavaria, of St. Joseph of Tuscany, and of Fidelity of Baden, Chamberlain and Privy Councillor of His Majesty the Emperor of Austria, King of Hungary and Bohemia; who, after having exchanged their Full Powers, found to be in good and due form, have agreed upon the following Articles:

ART. I. The High Contracting Parties reciprocally promise to maintain, in its force and vigour, the Treaty signed this day with His Most Christian Majesty, and to see that the stipulations of the said Treaty, as well as those of the particular Conventions which have reference thereto, shall be strictly and faithfully executed in their fullest extent.

ART. II. The High Contracting Parties, having engaged in the war which is just terminated, for the purpose of maintaining inviolably the Arrangements settled at Paris last year, for the safety and interest of Europe, have judged it advisable to renew the said Engagements by the present Act, and to confirm them as mutually obligatory, subject to the Modifications contained in the Treaty signed this day with the Plenipotentiaries of his Most Christian Majesty, and particularly those by which Napoleon Buonaparté and his family, in pursuance of the Treaty of the 11th of April 1814, have been for ever excluded from Supreme Power in France, which exclusion the Contracting Powers bind themselves, by the present Act, to maintain in full vigour, and, should it be necessary, with the whole of their Forces. And as the same Revolutionary Principles which upheld the last criminal Usurpation, might again, under other forms, convulse France, and thereby endanger the repose of other States; under these circumstances, the High Contracting Parties solemnly admitting it to be their Duty to redouble their watchfulnes for the tranquillity and interests of their People, engage, in case so unfortunate an event should again occur, to concert amongst themselves, and with his Most Christian Majesty, the measures which they may judge necessary to be pursued for the safety of their respective States, and for the general Tranquillity of Europe.

ART. III. The High Contracting Parties, in agreeing with his Most Christian Majesty that a line of military positions in France should be occupied by a corps of Allied troops during a certain number of years, had in view to secure, as far as lay in their power, the effect of the stipulations contained in Articles I. and II. of the present Treaty, and uniformly disposed to adopt every salutary measure calculated to secure the tranquillity of Europe by maintaining the order of things re-established in France, they engage, that in case the said body of troops should be attacked or menaced with an attack on the part of France, that the said Powers should be again obliged to place themselves on a war establishment against that Power, in order to maintain either of the said stipulations, or to secure and support the great interests to which they relate, each of the High Contracting Parties shall furnish, without delay, according to the stipulations of the Treaty of Chaumont, and especially in pursuance of the 7th and 8th Articles of this Treaty, its full Contingent of Sixty Thousand Men, in addition to the forces left in France, or such part of the said Contingent as the exigency of the case may require should be put in motion.

ART. IV. If, unfortunately, the forces stipulated in the preceding Article should be found insufficient, the High Contracting Parties will concert together, without loss of time, as to the additional number of troops to be furnished by each for the support of the Common Cause; and they engage to employ in case of need, the whole of their forces, in order to bring the War to a speedy and successful termination, reserving to themselves the right to prescribe, by common consent, such Conditions of Peace as shall hold out to Europe a sufficient Guarantee against the recurrence of a similar calamity.

ART. V. The High Contracting Parties having agreed to the dispositions laid down in the preceding Articles, for the purpose of securing the effect of their Engagements during the period of the temporary occupation, declare, moreover, that even after the expiration of this measure, the said Engagements shall still remain in full force and vigour, for the purpose of carrying into effect such measures as may be deemed necessary for the maintenance of the stipulations contained in the Articles I. and II. of the present Act.

ART. VI. To facilitate and to secure the execution of the present Treaty, and to consolidate the connexions which at the present moment so closely unite the Four Sovereigns for the Happiness of the World, the High Contracting Parties have agreed to renew their meetings at fixed periods, either under the immediate auspices of the Sovereigns themselves, or by their respective ministers, for the purpose of consulting upon their common interests, and for the consideration of the measures which at each of those periods shall be considered the most salutary for the repose and prosperity of Nations, and for the maintenance of the Peace of Europe.

ART. VII. The present Treaty shall be ratified, and the ratifications shall be exchanged within Two Months, or sooner, if possible. In faith of which the respective Plenipotentiaries have signed it, and affixed thereto the seal of their arms.—Done at Paris, the 20th of November, 1815.

(Signed) (Signed)
(L. S.) *Castlereagh.* (L. S.) *Metternich.*
(L. S.) *Wellington.* (L. S.) *Wessenberg.*

Note.—Similar Treaties were signed on the same day by the Plenipotentiaries of his Majesty, with those of the Emperor of Russia and the King of Prussia, respectively.

No. X.—NOTE *from the Ministers of the United Cabinets, to the Duke de Richelieu, communicating a Copy of the preceding Treaty of Alliance; dated Paris 20th November* 1815.

The Undersigned Ministers of the United Cabinets have the honour to communicate to his Excellency the Duke de Richelieu the New Treaty of Alliance which they have just signed, in the name and by command of Their august Sovereigns; the object of which has been, to give to the Principles established by those of Chaumont and Vienna the application the most conformable to existing circumstances, and to unite the destinies of France with the common interest of Europe.

The Allied Cabinets consider the stability of the order of things, happily re-established in this Country, as one of the essential bases of a solid and durable tranquillity. It is towards this end that their united efforts have been constantly directed; it is their sincere desire to maintain and to consolidate the result of these efforts, which has dictated all the stipulations of the New Treaty. His Most Christian Majesty will perceive in this Act the solicitude with which they have concerted measures the most proper to remove every thing which might in future endanger the interior repose of France, and prepared remedies against the dangers with which the Royal Authority, the basis of public order, might yet be menaced. The principles and the intentions of the AlliedS overeigns in this respect are invariable; of this the engagements which they have just contracted furnish the most unequivocal proofs; but the lively interest which they take in the satisfaction of his Most Christian Majesty, as well as in the tranquillity and prosperity of his Kingdom, makes them hope that the fatal chances supposed in these engagements, will never be realized.

The Allied Cabinets find the first guarantee of this hope in the clear principles, magnanimous sentiments, and personal virtues of his Most Christian Majesty. His Majesty acknowledges with them, that in a State torn during a quarter of a century by Revolutionary Convulsions, it is not by force alone, that calm can be restored to the mind, confidence to the heart, and equilibrium to the different parts of the social body; but that Wisdom should be united with Vigour, and Moderation with Firmness, for producing these happy changes.

Far from fearing that his Most Christian Majesty will ever lend an ear to imprudent or impassioned councils, tending to renew discontents and alarms, to excite hatred and divisions, the Allied Cabinets are entirely relieved from that anxiety by the wise as well as generous disposition which the King has evinced at every period of his reign, and especially at that of his return after the last criminal attempt. They know that his Majesty will oppose to all the enemies of the public good, and of the tranquillity of his Kingdom, under whatever form they may present themselves, his adherence to the Constitutional Laws, promulgated under his own Auspices, his well-understood intention, to be the Father of all his subjects, to efface from remembrance the evils which they have suffered, and to preserve of times past only the good which Providence has brought forth even from the bosom of public calamity. It is thus only that the views formed by the Allied Cabinets for the preservation of the Constitutional authority of his Most Christian Majesty, for the happiness of his Country, and for the maintenance of the Peace of the World, will be crowned with a complete success, and that France, established upon her ancient basis, will resume the eminent place to which she is called in the European System.

The Undersigned have the honour to renew to his Excellency the Duke de Richelieu the assurances of their high consideration.

(Signed.) Signed.)
Metternich. *Castlereagh.*
Hardenberg. *Capo D'Istria.*

No. XI.—EXTRACT OF A PROTOCOL *for regulating the Dispositions relative to the Territories and Places ceded by France, by Articles* I, II, *and* III, *of Treaty.*

The Ministers of the Imperial and Royal Courts of Austria, of Russia, of Great Britain, and of Prussia, having taken into consideration the measures become necessary by those arrangements with France which are to terminate the present war, have agreed to lay down, in the Present Protocol, the dispositions relative to the territorial cessions to be made by France, and to the contributions destined for strengthening the line of defence of the bordering States.

ART. I. *Kingdom of the Low Countries.*—Considering that his Majesty the King of the Low Countries ought to participate in a just proportion in the advantages resulting from the present arrangement with France, and considering the state of his frontiers on the side of that country, it is agreed, that the districts which formed part of the Belgic Provinces, of the Bishopric of Liege, and of the Duchy of Bouillon, as well as the Towns of Philipeville and Marienbourg, with their Territories, which France is to cede to the Allies, shall be assigned to his Majesty the King of the Low Countries, to be united to his dominions; his Majesty the King of the Low Countries shall receive, moreover, out of that part of the French contribution which is destined towards strengthening the line of defence of the States bordering upon France, the sum of sixty millions of franks, which shall be laid out in fortifying the frontiers of the Low Countries, in conformity with the plans and regulations which the Powers shall settle in this respect. It is besides agreed, that in consideration of the advantages which his Majesty the King of the Low Countries will derive from these dispositions, both in the increase of, and in the means for defending his territory, that that proportion of the pecuniary indemnity payable by France to which his said Majesty might lay claim, shall serve towards putting the indemnities of Austria and Prussia on the level of a just proportion.

ART. II. *Acquisitions of Prussia.*—The districts which, by the new Treaty with France, will be detached from the French territory in the department of the Sarre and the Moselle, including the fortress of Sarre-Louis, shall be united to the dominions of the King of Prussia.

ART. III. *Acquisitions of Austria.*—The territories which France is to cede in the department of the Lower Rhine, including the town and fortress of Landau, shall be united to those possessions on the left bank of the Rhine which devolve to his Imperial and Royal Apostolic Majesty by the Final Act of the Congress of Vienna. His Majesty may dispose of his possessions on the left bank of the Rhine, in the territorial arrangements with Bavaria, and other States of the Germanic Confederation.

ART. IV. *Helvetic Confederation.*—Versoix, with that part of the Pays de Gex which is to be ceded by France, shall be united to Switzerland, and form part of the Canton of Geneva. The neutrality of Switzerland shall be extended to that territory, which is placed north of a line to be drawn from Ugina (including that town) to the south of the Lake of Annecy, and from thence to the Lake of Bourget, as far as the Rhone, in the same manner as it has been extended to the Provinces of Chablris and Faucigny by the 92nd Article of the final Act of the Congress of Vienna.

ART. V. *Sardinia.*—In order that his Majesty the King of Sardinia may participate, in a just proportion in the advantages resulting from the present arrangement with France, it is agreed, that the portion of Savoy which remained to France in virtue of the Treaty of Paris of the 30th of May 1814, shall be reunited to the dominions of his said Majesty, with the exception of the Commune of St. Julian, which shall be given up to the Canton of Geneva. The Cabinets of the Allied Courts will use their good offices for inducing his Sardinian Majesty to cede to the Canton of Geneva the Communes of Chesne, Thonex, and some others necessary for disengaging the Swiss territory of Jassy from the effects of the retrocession, by the Canton of Geneva, of that territory situated between the road of Euron and the lake, which had been ceded by his Sardinian Majesty, by the Act of the 29th March 1815. The French Government having consented to withdraw its lines of Custom and Excise from the frontiers of Switzerland, on the side of the Jura, the Cabinets of the Allied Powers will employ their good offices for inducing his Sardinian Majesty to withdraw, in like manner, his lines of Custom and Excise, on the side of Savoy, at least upwards of a league from the Swiss frontiers, and on the outside of the great road of Saleve, and of the mountains of Sion and of Waache. His Majesty the King of Sardinia shall receive, moreover, out of that part of the French contribution which is destined for the strengthening the line of defence of the States bordering upon France, the sum of ten millions of franks, which is to be laid out in fortifying his frontiers, in conformity with the plans and regulations which the Powers shall settle in this respect. It is likewise agreed, that, in consideration of the advantages which his Sardinian Majesty will derive from these dispositions, both in the extension and in the means for defending his territory that part of the pecuniary indemnity payable by France, to which his said Majesty might lay claim, shall serve towards putting the indemnities of Austria and Prussia on the level of a just proportion.

No. XII.—PROTOCOL *respecting the Distribution of the 700 millions which France is to pay to the Allied Powers, under Art. IV. of the Treaty, and which is to serve instead of a particular Convention on that head.—Paris 20th Nov.* 1815.

The undersigned Plenipotentiaries being met to fix the principles of the distribution of the sums which France is to pay, in pursuance of the Treaty of Paris of the 20th November 1815, between their respective Courts and the other Allied States, and having taken it into consideration, that it appears superfluous to conclude a particular Convention for this arrangement, have resolved to lay down, in the present Protocol, every thing that relates to that object, and to consider this Protocol as having the same force and validity as a formal and express Convention entered into by virtue of the full powers with which they are armed, and in pursuance of the instructions they have received from their respective Courts. In conformity with this determination they have concluded the following Articles:

ART. I. The Allied Powers, acknowledging the necessity of guaranteeing the tranquillity of the countries bordering on France, by erecting fortifications on certain points the most exposed, have determined to set apart for that object a portion of the sums which are to be paid by France, leaving the remainder for general distribution, under the head of Indemnities. A fourth part of the total sum to be paid by France shall be applied to the erecting fortifications. But as the cession of the fortress of Saar Louis, equally founded on the motive of general safety, renders the construction of new fortifications in the vicinity of that fortress superfluous, and that the same has been estimated at fifty millions, by the Military Committee who were consulted upon that point, the said fortress shall be set down at the above-mentioned sum, in the calculation of the sums to be expended in fortifications, so that the aforesaid fourth part shall not be deducted from the 700 millions of francs promised by France, but from 750 millions, including the cession of Saar-Louis. In conformity with this disposition, the sum destined for fortifications is fixed at 187½ millions of francs, viz. 137½ millions in real value, and 50 millions, represented by the fortress of Saar-Louis.

ART. II. In apportioning these 187½ millions of francs amongst the states bordering on France, the undersigned ministers have had in view the necessity, more or less urgent, of those states to have additional fortresses, and the expense, more or less considerable, which the erecting them would incur, compared with the means which they severally possess, or will acquire by the present Treaty. According to these principles, the King of the Netherlands will receive 60 millions; the King of Prussia 20; the King of Sardinia 10; the King of Bavaria, or such other Sovereign of the countries bordering on France between the Rhine and the Prussian territory 15, the king of Spain 7½. Of the 25 millions which remain to be distributed, five shall be appropriated to finish the works at Mayence, and the remaining twenty shall be assigned for the erection of a new federal fortress upon the Upper Rhine. These sums shall be employed conformably with the plans and regulations which the powers shall adopt for that purpose.

ART. III. The sum destined for the fortifications being deducted, there remains 562½ millions, under the head of Indemnities which shall be apportioned in the following manner:

ART. IV. Although all the Allied States have afforded proofs of the same zeal and devotion for the common cause, there are some, notwithstanding, like Sweden, (which, from the very commencement, was released from all active co-operation, in consequence of the difficulty of conveying her troops across the Baltic) who have made no efforts whatever: others, like Spain, Portugal, and Denmark, although they have armed to assist in the struggle, have been prevented by the rapidity of events from effectually contributing to its success. Swisserland, which has rendered most essential services to the common cause, did not accede to the Treaty of the 25th March on the same conditions as the other Allies. These States are thereby placed in a different situation which does not allow of their being classed with the other Allied States, according to the number of their troops: it is therefore agreed, in order to obtain for them a just indemnity, as far as circumstances will permit to apportion 12½ millions in the following manner:—To Spain 5 millions; to Portugal 2; to Denmark 2½; to Swisserland 3.

ART. V. The burthen of the war having been borne in the first instance by the armies under the respective commands of Field Marshal the Duke of Wellington and Field Marshal Prince Blucher; and these armies having, moreover taken the city of Paris, it is agreed that there shall be retained out of the contributions paid by France, the sum of 25 millions for the service of Great Britain, and 25 millions for that of Prussia. Subject to the arrangements which Great Britain is to make with the powers, whose forces constituted the army of Field Marshal the Duke of Wellington, as to the sum which is to fall to their share under this head.

ART. VI. The 500 millions which remain after the deduction of the sums stipulated in the preceding Articles shall be apportioned in such manner as that Prussia, Austria, Russia and England shall each have a fifth part.

ART. VII. Notwithstanding the States which have acceded to the Treaty of the 25th of March of this year, have furnished collectively less than one fourth of the number of troops furnished by the four principal powers conjointly; it has been resolved not to take notice of this inequality; they will therefore, taken collectively, enjoy the fifth part which, in pursuance of the disposition contained in the preceding Article, remains of the five hundred millions.

ART. VIII. The allotment of this fifth amongst the several acceding States shall be in proportion to the number of troops furnished by them, and in the same manner as they have participated in the sum of ten millions, allowed by the French government for the pay of the troops; the table of this allotment is annexed to the present Protocol.

ART. IX. As his Majesty the King of Sardinia recovers part of Savoy, and his Majesty the King of the Low Countries receives in addition to the places of Marienbourg and Philipeville, and some other districts, that part of Belgium which the Treaty of Paris of the 30th May 1814, left to France; and it being understood that these two Sovereigns finding, in those accessions of territory, a fair compensation for their efforts, are not to participate in the pecuniary indemnity, their proportion, such as it is fixed in the table annexed to the preceding Article, shall be divided between Prussia and Austria.

ART. X. As the payments of the French government are to be made at the periods fixed by the Treaty, and of the Convention annexed thereto, it is resolved that each state who participates in these payments, in consequence of the present Protocol, shall receive at each of these periods the *pro-rata* of his share, and the same rule shall be followed where a State participates under various heads at once. Austria, for instance, in right of its fifth and in right of the part which she is to receive of the proportion of Belgium and Sardinia. This principle shall likewise be adopted, if, in case of the non-payment of the French government, it should be necessary to proceed to the sale of a portion of the Inscriptions which shall be deposited by way of pledge.

ART. XI. Prussia and Austria having declared the pressing necessity of their obtaining, in the course of the six first months, a larger sum than by an equal distribution would fall to their share; Russia and England consent, in order to facilitate the general arrangement, that each of those two powers should anticipate ten millions of francs of their proportion, to take date from the first payment, on condition of their holding themselves accountable for that sum in the subsequent years.

ART. XII. This deduction shall be made by one-fifth every year, so that Austria and Prussia will each relinquish to Russia and England 2,500,000 francs of their respective shares, in each of the four subsequent years.

ART. XIII. In order to avoid the numberless inconveniencies which must result from a want of unity in recovering the sums to be paid by France, it has been settled, that a commission, residing at Paris, shall have the sole management of recovering the same; that none of the States participating in these payments shall treat separately with the French government for this object; that they shall neither ask or receive directly from the said government, and without the intervention of the said commission, the documents by which the said payments may be obtained. —This Commission shall be composed of commissioners from Austria, Russia, Great Britain and Prussia, who shall treat with the French government; it shall be at the option of the other Allied States, in like manner to delegate Commissioners expressly to superintend their interests at the said Commission, which Commission shall be charged to deliver to them the effects or the specie which shall be recovered for their States. A regulation shall be forthwith drawn up respecting the exercise of the functions of the said Commission; to which shall be annexed the Table of the proportion which each State is to receive, and of the period of payment, according to the principles laid down in the present Act.

ART. XIV. The fifty millions stipulated by the Article of the Military Convention annexed to the Treaty of the 20th instant for the pay and other demands of the army which is to occupy a part of France shall be divided in such wise, as that

	Francs.	Cent.
Russia shall receive - -	7,142,857	16
Austria - - - - - -	10,714,285	71
England - - - - -	10,714,285	71
Prussia - - - - - -	10,714,285	71
The Acceding States- -	10,714,285	71

When France shall only pay, as will be the case in the first year, thirty millions, or any other sum less than fifty millions, for the object above specified; the same proportion shall be observed in the distribution of the sum so modified. The money which is referred to here shall be levied and allotted by the same Commission, established in pursuance of the 13th Article of the present Act, for the raising of the pecuniary indemnity.

ART. XV. Four exact copies shall be made of the present Protocol, which shall be furnished with the signature of the under-mentioned Plenipotentiaries, and shall have the force and validity herein-before expressed.

(Signed)	(Signed)
Castlereagh,	*Rasoumoffsky.*
Metternich.	*Hardenberg.*
Wessenberg.	*Humboldt.*
Capo D'Istria	*Wellington.*

TABLE OF THE ALLOTMENT *of the One Hundred Millions of Francs amongst the acceding Powers.*

Names of the acceding Powers,		The 100 Millions of Francs make per Man 425 Francs 29 $\frac{15,623}{23,513}$ Cent.	
	Men.	Francs.	Cents.
Bavaria	60,000	25,517,798	66½
Low Countries	50,000	21,264,832	22½
Wirtemberg	20,000	8,505,932	88½
Sardinia	15,000	6,379,449	66½
Baden	16,000	6,804,746	31½
Hanover	10,000	4,252,966	44
Saxony	16,000	6,804,746	31½
Hesse-Darmstadt	8,000	3,402,373	15½
Hesse-Cassel	12,000	5,103,559	73¼
Mecklenburg-Schwerin	3,800	1,616,127	24½
Mecklenburg-Strelitz	800	340,237	31½
Saxe-Gotha	2,200	935,652	61½

Saxe-Weimar	1,600	680,474	63½
Nassau	3,000	1,275,889	93½
Brunswick	3,000	1,275,889	93½
Hanse Towns	3,000	1,275,889	93½
Town of Francfort	750	318,972	48½
Hohenzollern-Hittengen	194	82,507	54¼
Hohenzollern-Sigmaringen	386	164,164	50½
Lichtenstein	100	42,529	66½
Saxe-Meinungen	600	255,177	98½
Heldbourghausen	400	170,118	66
Saxe-Cobourg	800	340,237	81½
Anholt	1,600	680,474	63½
Schwarzbourg	1,300	552,885	63½
Reusse	900	382,766	37
Lippe	1,300	552,885	63½
Waldeck	800	340,237	31½
Oldenberg	1,600	680,474	63½
Total	235,130	100,000,000	

No. XIII.—CONVENTION *between Great Britain and France, concluded in conformity to the Ninth Article of the Principal Treaty, relative to the Examination and Liquidation of the Claims upon the French Government.*

In order to remove the difficulties which have arisen in the execution of divers Articles of the Treaty of Paris of the 30th May 1814, and especially of those relating to the Claims of subjects of the Allied Sovereign Powers, the High Contracting Parties, being desirous of enabling their respective subjects speedily to enjoy the rights which those Articles ensure to them, and at the same time prevent as much as possible all controversy which might arise on the interpretation of some of the dispositions of the said Treaty, have agreed upon the following Articles:

ART. I. The Treaty of Paris of the 30th May 1814, being confirmed by Article XI. of the Principal Treaty, to which the present Convention is annexed, this confirmation extends principally to Articles 19, 20, 21, 22, 23, 24, 25, 26, 30, and 31, of the said Treaty, so far as the stipulations contained in the said Articles have not been altered or modified by the present Act; and it is expressly agreed, that the explanations and developements which the High Contracting Parties have thought advisable to give to them by the following Articles, shall in no wise prejudice the claims of any other nature which may be authorized by the said Treaty, though not especially stipulated by the present Convention.

ART. II. In conformity to this resolution, his Most Christian Majesty engages to cause to be liquidated, in the manner hereinafter specified, all sums which France may be found to owe, in countries out of her territory, as fixed by the Treaty to which the present Convention is annexed, by virtue of Art. 19, of the Treaty of Paris of 30th May 1814, either to individuals, or to "*Communes*," or to private establishments, the revenues of which are not at the disposal of Government. This liquidation shall extend particularly to the following claims:

1. To those arising from supplies and deliveries of all kinds, furnished by "*Communes*," or individuals, and in general by all others but the different branches of the Government, by virtue of contracts or arrangements made by the French Administrative Authorities, under promise of payment; whether the said supplies and deliveries may have been furnished, either to or for the use of military magazines in general, or for the provisioning of towns and fortresses in particular, or, in short, to the French armies, to detachments of troops, or of "*gendarmerie*," to the French Administrations, or the Military Hospitals, or in fine, for any public service whatsoever. These deliveries and supplies are to be vouched by receipts, from the storekeepers, officers, civil or military, commissaries, agents or inspectors, the validity of which shall be acknowledged by the Commission of Liquidation, described in Art. V. of the present Convention. The prices shall be regulated by the contracts or other engagements of the French authorities, or in failure thereof, by the market prices of the places, the nearest to that where the delivery shall have taken place.

2. To arrears of pay, and allowances, travelling expenses, gratuities, and other indemnifications due to military or other persons employed in the French army, and become, by the Treaties of Paris of 30th May 1814, and 20th November 1815, subjects of another Sovereign Power, during the period when the individuals in question served in the French armies, or were attached to establishments thereunto belonging, such as hospitals, dispensaries, magazines, &c. These demands

are to be supported by the production of the necessary vouchers, as required by the existing military rules and regulations.

3. To the re-imbursement of expenses for the maintenance of French troops in such civil hospitals as did not belong to Government, inasmuch as the payment of that maintenance has been stipulated for by positive engagements. The quota of the said expenses is to be vouched by abstracts of accounts, certified by the Superintendents of those establishments.

4. To the restitution of funds, intrusted to the French Post-offices, which have not reached their destination, the event of force being, however, excepted.

5. To the discharge of "*Mandats*," "*Bons*," and Orders for payment, given either on the Public Treasury of France, or on the "*Caisse d'Amortissement*," or their "*Annexés*," as well as of "*Bons*," given by this last-mentioned "*Caisse*," which "*Mandats*," "*Bons*," and Orders, have been subscribed to in favour of inhabitants, "*Communes*," or establishments situated in provinces which have ceased to form part of France, or which may be in the hands of the said inhabitants, "*Communes*," or establishments, it being not possible for France to refuse payment of the same, on the plea, that the objects, by the sale of which the said "*Bons*," "*Mandats*," and Orders were to be realized, have passed under foreign dominion.

6. To loans made to the French Civil and Military Authorities, under promise of repayment.

7. To indemnities granted for non-enjoyment of national domains, let on lease; to all other indemnity and refunding for leases of national domains, and also for professional attendance, remuneration, and fees for appraising, inspecting, or reporting, on the buildings, or other objects, done by order and on account of the French Government, inasmuch as the said indemnities, refundings, professional attendance, remuneration, and fees, have been acknowledged to be at the expense of the Government, and legally ordered by the French Authorities at the time existing.

8. To the re-imbursement of advances made from the funds of the "*Communes*," by order of the French Authorities, and under promise of re payment.

9. To indemnities due to individuals for loss of grounds, the demolition and destruction of buildings, in consequence of orders from the French Military Authorities, for the enlargement or security of fortresses and citadels, in such cases where indemnity is due, by virtue of the law of 10th July 1791, and where there may have been engagement to pay, either by report of arbitrators, regulating the amount of the indemnity, or by any other deed of the French Authorities.

ART. III. The claims of the Senate of Hamburgh, on account of the Bank of that city, shall be the subject of a Special Convention between the Commissioners of his Most Christian Majesty and those of the City of Hamburgh.

ART. IV. Those claims shall also be liquidated, preferred by several individuals against the execution of a Decree, dated Nassen, the 8th May 1813, by virtue of which colonial goods, part of which they had purchased of French Government were seized to their detriment, and by virtue of which they have been obliged to pay, a second time, on cottons, the single and double Custom-house dues, although they had paid, in due time, what they owed lawfully. These claims shall be liquidated by the Commissioners appointed by the Convention of this day, and the amount thereof shall be paid, in inscriptions, on the great book of the public debt, at a rate not under 75, in the same manner as has been agreed upon with regard to the securities to be refunded.

ART. V. The High Contracting Parties, being animated by the desire of agreeing on a mode of liquidation, calculated at once to accelerate the same, and promote, in each particular case, a final decision, have resolved, while expounding the arrangements of Article 20 of the Treaty of 30th May 1814, to appoint Commissions of Liquidation, to be employed, in the first place, in the examination of the claims; and also Commissions of Arbitration, which are to decide on such cases on which the former Commission do not agree. The mode to be acted upon in this respect, is to be as follows:

1. Immediately after the exchange of the ratifications of the present Treaty, France, and the other High Contracting Parties, or those interested in this object, shall name Commissioners of Liquidation, and Commissioners of Arbitration, or Umpires, who are to reside at Paris, and shall be instructed to direct, and carry into execution, the arrangements contained in Articles 18 and 19 of the Treaty of 30th May 1814, and Articles, 2, 4, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 22, 23, 24, of the present Convention.

2. The Commissioners of Liquidation are to be named by all parties interested, in such numbers as each of them may think proper to appoint. They will be instructed to receive and examine, according to a scale fixed upon for that purpose, and with the least possible delay, and liquidate, if there be just cause, all claims. Each Commissioner shall be at liberty to unite in one Committee all the Commissioners of the respective Governments, and to lay before them, and cause them to examine the claims of the subjects of his Government, or else to treat separately with the French Government.

3. The Arbitrators are to be instructed to decide definitively, and without appeal, on all cases referred to them, in conformity to the present Article, by the Commissioners of Liquidation, who may not have been able to agree thereon. All the High Contracting Par-

ties, or those interested, may name as many of these Arbitrators as they may think proper; but every one of these Arbitrators must make oath, before the Chancellor of France, and in the presence of the Ministers of the other High Contracting Parties residing at Paris, to pass judgment, without partiality whatever for the parties, according to the principles laid down by the Treaty of 30th May 1814, and by the present Convention.

4. As soon as the Arbitrators named by France, and by at least two of the other Parties interested, shall have taken this oath, all the said Commissioners who may be in Paris shall meet, under the Presidency of the senior Commissioner, for the purpose of arranging the appointments of one or more of the Recorders or Record-keepers, and of one or more Clerks, who are to be sworn before them, as well as for the purpose of discussing, if necessary, a general system for the dispatch of business, the keeping of the registers, and other matters of internal regulation.

5. The Commissioners appointed to form the Commissions of Arbitration being thus ordained, whenever the Commissioners of Liquidation shall not have agreed on a case, the Arbitrators are to proceed with the same in the manner hereinafter mentioned.

6. In those cases wherein the claims are of the nature provided for by the Treaty of Paris, or by the present Convention, and wherein the question is merely to determine on the validity of the demand, or the amount of the sum claimed, the Commission of Arbitration is to be composed of six Umpires, namely, three French, and three appointed by the reclaiming Government. The said six Arbitrators shall then draw lots, for the purpose of deciding which of them is to be thrown out, and being thus reduced to five, are then finally to determine on the claim referred to them.

7. In the event of the question being, whether the contested claim can be reckoned amongst those provided for by the Treaty of Paris of 30th May 1814, or by the present Convention, the Commission of Arbitration is to be composed of six Members, whereof three are to be French, and three named by the Government reclaiming; these six Umpires are then to decide by a majority, whether the claim is susceptible of being admitted to liquidation; in the event of equality of votes, the examination of the affair is to be suspended, and is to become subject matter of future regular negociation between the Governments.

8. Every time that a case shall be referred to the decision of a Commission of Arbitration, the Government, whose Commissioner of Liquidation shall not have been able to agree with the French Government, shall name three Umpires, and France shall name as many, all of them chosen amongst those who shall have taken, or may take, previously to their acting, the stipulated oath. This choice is to be made known to the Record-Keeper, at the same time transmitting to him the whole of the documents. The Record-Keeper will duly note this nomination, and the deposit of the papers, and will enter the claim in the proper register, which shall have been opened for that purpose. When the turn of a claim shall come round in its regular order of entry, the Record-Keeper is to summon the six Arbitrators above-named.—When the case shall happen to be one of those specified in Section 6 of the present Article, the names of the said six Arbitrators shall be put in an urn, the last drawn shall of course go out, in order that their number may be reduced to five. The parties are, however, at liberty to abide, if they all agree thereto, by a Commission of four Arbitrators, the number of whom, in order to obtain an odd number, is to be in like manner reduced to three. In the cases specified by Section 7 of the present Article, the six Umpires, or the four, if the parties have agreed to that number, are to enter into discussion, without previous elimination of one of their number. In either of these cases, the Arbitrators convoked for the purpose are immediately to enter upon the examination of the claim, or class of claim in question, and are to decide by a majority of voices without appeal. The Record-Keeper is to attend all the sittings, and to act as Minute-Clerk. If the Commission of Arbitration have not decided upon the class of a claim, though it has, on a claim itself, such decision terminates the affair. If it has decided on the class of a claim, the case, provided that class be acknowledged as admissible, goes back to the Commission of Liquidation, for that Commission to determine on the admission of the individual claim, and the amount thereof, or refer it anew to a Commission of Arbitration of five or three Members. Judgment being given, the Recorder is to notify to the Commission of Liquidation every such sentence, for the purpose of being inserted in their proceedings, as the said decisions are to be considered and acted upon as precedents by the Commission of Liquidation.—It is to be well understood, that the Commissions appointed by virtue of the present Article are not to extend their labours beyond the liquidation of the obligation specified by the present Treaty, and that of 30th May 1814.

ART. VI. The High Contracting Parties, desiring to secure the full performance of the 21st Article of the Treaty of Paris of 30th May 1814, and accordingly determinate the mode of crediting France for such debts, specially secured in their origin by mortgages upon countries which have ceased to form part of France, or otherwise contracted by their internal administration, and which have been converted into Inscriptions in the Great Book of the National Debt of France, have agreed, that the amount of the capital, which each of the Governments of the said respective countries may have to reimburse to France, shall be determined by the price which the funds may bear, on an average, between the day of the signature of the present Convention and the 1st of January 1816. This capital is to be made good to France, according to the statements which the Commission appointed by Article V of the present Convention shall draw up and settle, every two months, after the titles have been duly verified, on the strength of which the Inscriptions have been made.—France is not to be reimbursed the amount of the Inscriptions arising from debts secured by mortgage on immoveables which the French Government have alienated, whatever be the nature of the said immoveables, provided the purchasers thereof have paid the amount into the hands of the agents of the French Government, unless the said immoveables should at present be (otherwise than by possession obtained unfairly during the continuance of the French administration) in the hands either of the present Government, of Public Establishments, or of the former possessors. The French Government remains charged with the payment of the dividends on those Inscriptions. The countervailing accounts of what may become due to France, in Inscriptions and the payments to which she has engaged herself by the present Convention, cannot be settled, but with mutual consent, excepting for what follows in the succeeding Article.

ART. VII. From these reimbursements shall be deducted: 1 The interest on Inscriptions in the Great Book of the State till the period of the 22d December 1813; also, the interest which France may have paid subsequent to that period shall in like manner be made good to her by the respective Governments; 2. The capitals and interest secured by mortgage on immoveables alienated by the French Government, although the said capitals have not yet been converted into Inscriptions in the Great Book of the Public Debt, provided, however, that, on account of the present stipulation, nothing shall be done contrary to the laws or orders of the Government, which decreed forfeitures, &c. or in virtue of which the debts were to become extinct to the benefit of France, by way of "confusion" or of compensation.

ART. VIII. The French Government having refused to recognise the claim of the government of the Low Countries, relative to the payment of the interest of the debt of Holland, which may not have been paid for the half years of March and September 1813, it is agreed to refer to a Commission of Arbitration the decision of the principle of the said question. This Commission is to be composed of seven members, two of them to be named by the French Government, two by the Government of the Netherlands, and the three others to be chosen from the States decidedly neuter, and who have no interest in the question, such as Russia, Great Britain, Sweden, Denmark, and the kingdom of Naples. The choice of these three last commissioners is to be made in such manner, that one of them is to be named by the French Government, the other by that of the Netherlands, and the third by the said two neutral commissioners. The commission is to meet at Paris on the 1st of February 1816. The members thereof are to take the same oath to which the Commissioners of Arbitration are subject, as stated in Art. V. of the present Convention, to be administered in the same manner. As soon as the commission shall be constituted, the commissioners of liquidation of the two Powers shall each submit in writing the arguments in support of their opinion, in order that the Arbitrators may be enabled to decide which of the two Governments, the French Government, or the Government of the Netherlands, shall be bound to pay the aforesaid arrears of interest, taking for basis the dispositions of the Treaty of Paris of 30th May 1814, and whether the reimbursement which the Government of the Netherlands may have to make to France for inscriptions of the debts of countries reunited to the Crown of the Netherlands, and detached from France, is to be required without deducting the dividends of the debt of Holland, in arrear for 1813.

Art. IX. The liquidation shall be proceeded in of the unpaid interests of the debts secured on mortgage upon the soil of countries ceded to France by the Treaties of Campo Formio and Luneville, and arising from loans formally acknowledged by the Governments of the ceded countries, or from expenses incurred by the effective administration of the said countries. The Commissioners of Liquidation are to regulate their operations according to the dispositions of the Treaties of Peace, and the laws and decrees of the French Government, with respect to the liquidation and extinction of the debts of the nature in question.

ART. X. As it has been stipulated by Art. XXIII. of the Treaty of Paris of 30th May 1814, that the French Government should reimburse the securities given by the public functionaries entrusted with the management of public money in the countries separated from France, six months after the presenting of their accounts, the case alone of misdemeanor being excepted, it remains agreed:

1. That the obligation of presenting their accounts to the French Government does not extend to the *Receveurs Communaux;* nevertheless, as the French Government has had an interest in certain portions of the receipts wherewith those accountable persons were charged, and that consequently it may still call for redress against them, in cases of misdemeanor, no application for restitution of their securities shall be presented, without being accompanied by a certificate from the superior authorities of the country to which these persons accountable may belong, at the

same time specifying the sum which, after the audit of their accounts, shall have been acknowledged to be due to the French Government on the account above mentioned, and which the latter shall deduct from the security, giving proof that nothing is due to the same; except, in either case, the deduction of those balances which France has reserved to herself by Art. XXIV. of the present Convention.

2. The accounts of the functionaries who have had the management of money belonging to the French Government, and who were bound to have their administration approved by the Court of Accounts, shall be examined by the French Government, in conjunction with the Commissioner of the present Government of the province where the person accountable has been employed. The examination of each account is to take place within six months after it has been delivered in; if during this period no decision has been given, the French Government renounces all claim against the person accountable. This stipulation does not derogate, with respect to those who are accountable from the time of forfeiture, fixed by Art. XVI., it being well understood, that in the event of the non-presentation of the accounts, the French Government reserves to itself the right of proceeding against the said persons accountable, in the customary manner.

3. The functionaries not being liable to be made responsible for what has occurred relatively to their "*caisses*" since the entrance of the foreign troops, it has been expressly agreed, that the French Government are not to charge them with the balances which they owed at that period, and that it shall only be a manifest misdemeanor, committed before the entrance of those troops, which shall authorize the French Government to withhold the whole or part of the security. In all other respects the same is to be restored, in the manner expressed in Art. XIX., Section 2.

ART. XI. Conformably to Article XXV., of the Treaty of the 30th May 1814, the funds deposited by "*Communes*" and public establishments, in the coffers of Government, are to be repaid to them, with deduction of the advances which may have been made to them. The Commissioners of Liquidation are to verify the amount of the said deposits and advances. Nevertheless, should there be lodged any attachments, the repayment of these funds shall not take place until replevin shall have been ordered, by the proper tribunals, or voluntarily allowed by the attaching creditors. The French Government shall be bound to show the justice of the said attachments. It is well understood, that such attachments lodged by creditors who are not Frenchmen, cannot authorize the French Government to detain these deposits.

ART. XII. The funds belonging to the "*Caisse d'Agriculture*" of Holland, and which have been lodged as a deposit in the "*Caisse d'Amortissement*," in the "*Caisse de Service*," or in any other "*Caisse*" of Government, shall be restored as well as all other deposits, with the exception of such compensations as the said "*Caisses*," may have to debit the said funds.

ART. XIII. The Commissioners of Liquidation and of Arbitration, ordained by virtue of Article V. of the present Convention, shall also be employed in the liquidation of the objects, recited in Arts. XXII. to XXV. of the Treaty of the 30th May 1814, and shall proceed in the same manner, with regard to these points, as that adopted for the other liquidations with which they are charged. The French Government engages to deliver, four months after the signature of the present Convention, to the respective Commissioners of Liquidation, exact statements, drawn from the treasury and other registers, of all sums and debts alluded to in the aforesaid Articles; and these statements are to be compared with the receipts of the claimants, for the purpose of being thus proved.

ART. XIV. The 26th Article of the Treaty of the 30th May 1814, which releases the French Government from the 1st January, of the same year, from the payments of all pensions, civil, military and ecclesiastical, allowances on retiring, and half-pay, to all individuals no longer subjects of France, is maintained.—With regard to the arrears of pensions, to the period above mentioned, the French Government engages to give evidence of them, by furnishing exact statements, drawn from the pension registers, which are to be compared with those kept by the local administrative authorities.

ART. XV. Doubts having arisen upon the 31st Article of the Treaty of the 30th of May 1814, concerning the restitution of the maps of the countries which have ceased to belong to France, it is agreed that all the maps of the countries ceded, including those which the French Government has caused to be executed, shall be exactly given up, with the copper-plates belonging to them, in the space of four weeks after the exchange of the ratifications of the present Treaty. The same shall be done respecting the archives, maps, and plates, taken away from the countries occupied for a time by the different armies, as it is stipulated in the second paragraph of the 31st Article of the said Treaty.

ART. XVI. Governments who have claims to prefer in behalf of their subjects, engage to cause them to be presented for liquidation within a year, dating from the day of the exchange of the ratifications of the present Treaty; after which time they are to forfeit all right to claim and recovery.

ART. XVII. Every two months an abstract is to be drawn up of the liquidations finally adjusted, approved, or decided, specifying the name of each creditor, and the amount for which his debt is to be discharged, either in principal, or arrears of interest. The sums which are to be paid in cash by the Royal Treasury, either for capital or interest, shall be remitted to the Commissioners of Liquidation of the Government concerned, upon their receipts, signed or approved by the French Liquidators. With regard to the debts which, in conformity to Articles IV. and XIX. of the present Convention, are to be paid in inscriptions in the Great Book of the Public Debt, they are to be entered in the names of the Commissioners of Liquidation of the Governments concerned, or of those whom they may appoint. These inscriptions are to be taken from the Guarantee Fund, stipulated by Art. XX. of the present Convention, and in the manner specified by Art. XXI.

ART. XVIII. All debts which bear interest, either according to law, or the Treaty of the 30th May 1814, are to continue to bear the same. With respect to those, to which no interest appertains, either from their nature, or by the said Treaty, they are to bear an interest of 4 per cent. from the date of the signature of the present Convention. All interest is to be paid in cash, and on the amount of the nominal value of the debt. The stipulations relating to interest are to be reciprocal between France and the other Contracting Powers.

ART. XIX The Treaty of the 30th May 1814, in regulating the periods within which payments were to be completed, proclaimed three classes of debts. In order to make things agree with such an arrangement, it has been resolved to adopt, in like manner, three classes for reimbursement as follows: 1. The deposits legally entrusted to the "*Caisse d'Amortissement*" are to be refunded in money within six months from the exchange of the ratifications of the present Convention, whenever the delivery of the documents shall have taken place during the first three months of the liquidation. Those cases, whereof the documents shall have been delivered in subsequently, are to be liquidated within the succeeding three months. 2. The debts arising from the payment of securities or from funds which were deposited by the "Communes," and public establishments, in the "*Caisse de Servicc,*" the "*Caisse d'Amortissement,*" or any other "*Caisse*" of the French Government, are to be reimbursed in inscriptions in the Great Book of the Public Debt, at par; on condition, however, that in the event of the price of the day of settlement being under 75, the French Government is to have the benefit of the difference between the price of the day and 75. 3. The other debts, not comprehended in the two preceding sections, are to be likewise reimbursed in inscriptions at par, with this difference, however, that the French Government guarantees to them only a price of 60; at the same time engaging to make good the difference between the price of the day and 60.

ART. XX. On the 1st of January next, at latest, shall be inscribed, as a guarantee fund, in the Great Book of the Public Debt of France, a Capital producing 3,500,000 French francs yearly revenue, with possession, from 22d March 1816, in the name of two, four, or six Commissioners, one-half the subjects of his Most Christian Majesty, and the other half of the Allied Sovereign Powers; which said Commissioners are to be chosen and appointed, namely, one, two, or three, by the French government, and one, two, or three, by the Allied Powers. They are to receive the said yearly income every six months, of which they are to be the trustees, without power of negociating the same. They are to place the amount thereof in the public funds, and receive the accumulated and compound interest of the same for the benefit of the creditors.—In case the 3,500,000 francs of interest shall be insufficient, there shall be delivered to the said Commissioners inscriptions for larger sums, until their amount shall equal what may be necessary to pay the debts mentioned in the present Convention. These additional Inscriptions, if they are necessary, shall be made over with the dividends from the same period as the 3,500,000 francs, yearly revenue above stipulated, and shall be administered by the same Commissioners, and according to the same principles. So that the debts which shall remain to be paid, shall be paid with the same proportion of accumulated and compound interest, as if the Fund of Guarantee had been from the first sufficient.—As soon as the payments due to the creditors shall have been made, the surplus of the Inscriptions not employed, if there be any, as well as the proportion of accumulated and compound interest which shall belong thereto, shall be given up to the disposal of the French Government.

ART. XXI. In proportion as the Abstracts of Liquidation, prescribed by Art. XVII. of the present Convention, shall be delivered to the Trustees or Commissioners of Deposit, the latter are to examine the same, in order to their being forthwith entered in the Great Book of the Public Debt, to the debit of their trust, to and the credit of the Commissioners of Liquidation of the reclaiming Governments.

ART. XXII. The present Sovereigns of the countries which have ceased to belong to France hereby renew the engagement which they have contracted, by Art. XXI. of the Treaty of the 30th May 1814, to account with the French Government, from the 22d December 1813, for such of the debts of the said countries as have been converted into inscriptions in the Great Book of the Public Debt of France. The accounts relative to all the said debts shall be drawn up and adjusted by the Commissions appointed by Article V. of the present Convention. It being understood, of course, that France is to continue the payment of the dividends on these Inscriptions.

ART. XXIII. The Governments aforesaid renew the engagement to refund to French subjects in the service of the ceded countries, the sums which they may have to claim on account of securities, or deposits in their respective treasuries. These re-imbursements to be made in the same manner agreed to in Art. XIX. of the present Convention, towards subjects of the said countries, for payments of a like nature.

ART. XXIV. It is reserved to the French Government the right of deducting from those securities, which by Art. XXII. of the Treaty of the 30th of May 1814, and by Article X. of the present Convention, it has engaged to refund, such balances due, from persons accountable, whom a judgment of the Court of Accounts, given before the 30th of May 1814, shall have declared to be withholders of public money. Such deduction is to take place, without, however, being prejudicial to the proceedings which, in default of sufficient security, may be directed against the defaulters, in the ordinary course, before the tribunals of the countries wherein the persons accountable have settled.

ART. XXV. In the countries ceded by the Treaty of the 30th of May 1814, and by the present Treaty, such persons who have accepted bills negotiable, to the advantage of the Royal Treasury, or of the "*Caisse d'Amortissement*" (not receivers of direct contributions), and who should not have honoured the same, when they become due, may be proceeded against for payment, before the regular tribunals of the country where they are settled, unless they should have been compelled to pay them before the 30th of May 1814, or, with regard to the countries ceded by the present Treaty, before the November, in favour of the Agents of the new possessors of the countries.

ART. XXVI. All that has been agreed to by the present Convention, with respect to the period within which the creditors of France are to deliver in their claims for liquidation, the time when the Abstracts of Liquidations are to be drawn up, the interest to be allowed to the respective classes of debts, and the manner in which they are to be paid, applies equally to those debts which France may have to claim from the Governments of the countries detached from France.

Done at Paris, the 20th of November, 1815.

(Signed) (Signed)
(L. S.) *Castlereagh.* (L. S.) *Richelieu.*
(L. S.) *Wellington.*

Additional Article.

The House of the Counts de Bentheim and Steinfurth having advanced a claim against the French Government upon different grounds; viz. in pursuance of a Convention of the 22d of May 1804, 800,000 francs, interest at 6 per cent. per ann. upon that sum 480,000, for restitution of the Land Tax 78,200, clearing the Ysel 30,000, for various alienations and indemnities 634,000, for the revenues of the County of Bentheim, since the French Government took possession thereof 2,225,000: total 4,247,200 francs. It has been settled, in the form of an agreement, that the Government of France shall pay to that House, in lieu of every claim whatsoever—1. The sum of 800,000 francs in specie, to be paid by twelfths, in monthly instalments, commencing from the 1st of January 1816. 2. The sum of 510,000 francs, by Inscriptions in the Great Book of the Public Debt, at par, guaranteeing to the same the exchange at 75, or making up the difference between the exchange of the day and 75. These Inscriptions shall be delivered before the 1st of January, and the interest on them shall commence from the 22d of March 1816. In consideration of the payment of this sum of 1,310,000 francs, the House of the Counts de Bentheim and Steinfurth renounces the right of advancing or renewing any claim against the French Government, under any title or on any ground whatsoever, the said renunciation being made by agreement.

Done at Paris the 20th of November, 1815.

(Signed) (Signed)
(L. S.) *Castlereagh.* (L. S.) *Richelieu.*
(L. S.) *Wellington.*

No. XIV.—TREATY *between Great Britain and Russia, &c. respecting the Ionian Islands; signed at Paris 5th November, 1815.*

In the name of the Most Holy and Undivided Trinity.

His Majesty the King of the United Kingdom of Great Britain and Ireland, his Majesty the Emperor of all the Russias, his Majesty the Emperor of Austria, King of Hungary and Bohemia, and his Majesty the King of Prussia, animated by the desire of prosecuting the Negociations adjourned at the Congress of Vienna, in order to fix the destiny of the Seven Ionian Islands, and to insure the independence, liberty, and happiness, of the inhabitants of those Islands, by placing them and their Constitution under the immediate protection of one of the Great Powers of Europe, have agreed to settle definitively by a Special Act, whatever relates to this object, which, grounded upon the rights resulting from the Treaty of Paris of the 30th May 1814, and likewise upon the British Declarations at the period when the British arms liberated Cerigo, Zante, Cephalonia, Santa Maura, Ithaca, and Paxo, shall be considered as forming part of the General Treaty concluded at Vienna on the 9th June of the year 1815, on the termination of the Congress: and in order to settle and sign the said Act, the High Contracting Powers have nominated Plenipotentiaries; that is to say, his Majesty the King of the United Kingdom of

Great Britain and Ireland, the Right Honourable Robert Stewart Viscount Castlereagh, Knight of the Most Noble Order of the Garter, a Member of his said Majesty's Most Honourable Privy Council, a Member of Parliament, Colonel of the Londonderry Regiment of Militia, and his said Majesty's Principal Secretary of State for Foreign Affairs; and the Most Illustrious and Most Noble Lord Arthur, Duke, Marquess, and Earl of Wellington, Marquess of Douro, Viscount Wellington of Talavera and of Wellington, and Baron Douro of Wellesley, a Member of his said Majesty's Most Honourable Privy Council, a Field Marshal of his Armies, Colonel of the Royal Regiment of Horse Guards, Knight of the Most Noble Order of the Garter, Knight Grand Cross of the Most Honourable Order of the Bath, Prince of Waterloo, Duke of Ciudad Rodrigo, and a Grandee of Spain of the First Class, Duke of Vittoria, Marquess of Torres Vedras, Count of Vimeira in Portugal, Knight of the Most Illustrious Order of the Golden Fleece, of the Spanish Military Order of Saint Ferdinand, Knight Grand Cross of the Imperial Military Order of Maria Theresa, Knight Grand Cross of the Imperial Order of St. George of Russia, Knight Grand Cross of the Order of the Black Eagle of Prussia, Knight Grand Cross of the Portuguese Royal and Military Order of the Tower and Sword, Knight Grand Cross of the Royal and Military Order of Sweden of the Sword, Knight Grand Cross of the Orders of the Elephant of Denmark, of William of the Low Countries, of the Annunciade of Sardinia, of Maximilian Joseph of Bavaria, and of several others, and Commander of the Forces of his Britannic Majesty in France, and of the Army of his Majesty the King of the Low Countries; and his Majesty the Emperor of all the Russias, the Sieur Andre Prince of Rasomouffsky, a Member of his Imperial Majesty's Privy Council, a Senator, Knight of the Order of Saint Andrew, of Saint Alexander Newsky, Grand Cross of the Order of St. Wolodimir of the First Class, Grand Cross of the Royal Order of Saint Stephen of Hungary, and of the Orders of the Black Eagle and of the Red Eagle of Prussia; and the Sieur John Count Capo d'Istra, a Member of his Imperial Majesty's Privy Council, Secretary of State, Knight of the Order of Saint Anne of the First Class, Grand Cross of the Order of Saint Wolodimir of the Second Class, Grand Cross of the Order of Leopold of Austria, and of the Red Eagle of Prussia; who, after having exchanged their full powers, found to be in good and due form, have agreed upon the following Articles:

ART. I. The Islands of Corfu, Cephalonia, Zante, Maura, Ithaca, Cerigo, and Paxo, with their dependencies, such as they are described in the Treaty between his Majesty the Emperor of all the Russias and the Ottoman Porte, of the 21st of March 1800, shall form a single, free, and independent State, under the denomination of the United States of the Ionian Islands.

ART. II. This State shall be placed under the immediate and exclusive protection of his Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors. The other Contracting Powers do consequently renounce every right or particular pretension which they might have formed in respect to them, and formally guarantee all the dispositions of the present Treaty.

ART. III. The United States of the Ionian Islands shall, with the approbation of the Protecting Power, regulate their internal organization; and, in order to give to all the parts of this organization the necessary consistency and action, his Britannic Majesty will employ a particular solicitude with regard to the legislation and the general administration of those States, his Majesty will therefore appoint a Lord High Commissioner to reside there, invested with all the necessary power and authorities for this purpose.

ART. IV. In order to carry into execution, without delay, the stipulations mentioned in the Articles preceding, and to ground the political re-organization which is actually in force, the Lord High Commissioner of the Protecting Power shall regulate the forms of convocation of a Legislative Assembly, of which he shall direct the proceedings, in order to draw up a New Constitutional Charter for the States, which his Majesty the King of the United Kingdom of Great Britain and Ireland shall be requested to ratify. Until such Constitutional Charter shall have been so drawn up, and duly ratified, the existing Constitutions shall remain in force in the different Islands, and no alteration shall be made in them, except by his Britannic Majesty in Council.

ART. V. In order to ensure, without restriction, to the inhabitants of the United States of the Ionian islands, the advantages resulting from the high protection under which these States are placed, as well as for the exercise of the rights inherent in the said protection, his Britannic Majesty shall have the right to occupy the fortresses and places of those States, and to maintain garrisons in the same. The military force of the said United States shall also be under the orders of the Commander in Chief of the troops of his Britannic Majesty.

ART. VI. His Britannic Majesty consents, that a particular Convention with the Government of the said United States shall regulate, according to the revenues of these States, every thing which may relate to the maintenance of the fortresses already existing, as well as to the subsistence and payment of the British garrisons, and to the number of men of which they shall be composed in time of peace. The same Convention shall likewise fix the relations which are to exist between the said armed force and the Ionian Government.

ART. VII. The trading flag of the United States of the Ionian islands shall be acknowledged by all the Contracting Parties as the Flag of a free and independent State. It shall carry with the colours and above the armorial bearings thereon displayed before the year 1807, such other as his Britannic Majesty may think proper to grant, as a mark of the protection under which the said Ionian States are placed; and for the more effectual furtherance of this protection, all the ports and harbours of the said States are hereby declared to be, with respect to honorary and military rights, within British jurisdiction. The commerce between the United Ionian States and the dominions of his Imperial and Royal Apostolic Majesty shall enjoy the same advantages and facilities as that of Great Britain with the said United States. None but commercial agents, or Consuls, charged solely with the carrying on commercial relations, and subject to the regulations to which commercial agents or consuls are subject in other Independent States, shall be accredited to the United States of the Ionian Islands.

ART. VIII. All the Powers which signed the Treaty of Paris of the 30th of May 1814, and the Act of the Congress of Vienna of the 9th of June 1815; and also his Majesty the King of the Two Sicilies, and the Ottoman Porte, shall be invited to accede to the present Convention.

ART. IX. The present Act shall be ratified and the ratifications shall be exchanged in two months, or sooner, if possible. In witness whereof the respective Plenipotentiaries have signed it, and have affixed thereunto the seals of their arms.—Done at Paris the 5th day of November, 1815.

(Signed)
(L. S.) *Castlereagh.*
(L. S.) *Wellington.* (Signed)
(L. S.) *Le Prince de Rasoumoffsky.*
(L. S.) *Le Comte Capo D'Istria.*

NOTE.—Similar Treaties were signed on the same day by the Plenipotentiaries of his Majesty, with those of the Emperor of Austria, and the King of Prussia, respectively.

No. XV. — NOTE *delivered in by Viscount Castlereagh to the Allied Ministers, and placed upon their Protocol, respecting the Restitution of the Works of Art.—Paris, September 11th,* 1815.

Representations having been laid before the Ministers of the Allied Powers from the Pope, the Grand Duke of Tuscany, the King of the Netherlands, and other Sovereigns, claiming, through the intervention of the High Allied Powers, the restoration of the Statues, Pictures, and other Works of Art, of which their respective States have been successively and systematically stripped by the late Revolutionary Government of France, contrary to every principle of justice, and to the usages of modern warfare, and the same having been referred for the consideration of his Court, the undersigned has received the commands of the Prince Regent to submit, for the consideration of his Allies, the following remarks upon this interesting subject:

It is now the second time, that the Powers of Europe have been compelled, in vindication of their own liberties, and for the settlement of the world, to invade France, and twice their armies have possessed themselves of the Capital of the State, in which these, the spoils of the greater part of Europe, are accumulated.

The legitimate Sovereign of France has, as often, under the protection of those armies, been enabled to resume his Throne, and to mediate for his people a peace with the Allies, to the marked indulgencies of which neither their conduct to their own Monarch, nor towards other States, had given them just pretensions to aspire.

That the purest sentiments of regard for Lewis XVIII. deference for his ancient and illustrious House, and respect for his misfortunes, have guided invariably the Allied Councils, has been proved beyond a question by their having, last year, framed the Treaty of Paris expressly on the basis of preserving to France its complete integrity, and still more, after their late disappointment, by the endeavours they are again making, ultimately to combine the substantial integrity of France, with such an adequate system of temporary precaution as may satisfy what they owe to the security of their own subjects.

But it would be the height of weakness, as well as of injustice, and in its effects much more likely to mislead than to bring back the people of France to moral and peaceful habits, if the Allied Sovereigns, to whom the world is anxiously looking up for protection and repose, were to deny that principle of integrity in its just and liberal application to other nations, their Allies (more especially to the feeble and to the helpless), which they are about, for the second time, to concede to a nation against whom they have had occasion so long to contend in war.

Upon what principle can France, at the close of such a war, expect to sit down with the same extent of possessions which she held before the Revolution, and desire, at the same time, to retain the ornamental spoils of all other countries? Is it, that there can exist a doubt of the issue of the contest or of the power of the Allies to effectuate what justice and policy require? if not, upon what principle deprive France of her late territorial acquisitions, and preserve to her the spoliations appertaining to those territories, which all modern conquerors have invariably respected, as inseparable from the country to which they belonged?

The Allied Sovereigns have perhaps something to atone for to Europe, in consequence of the course pursued by them, when at Paris, during the last year. It is true, they never did so far make themselves parties in the criminality of this mass of plunder, as to sanction it by any stipulation in their Treaties; such a recognition has been on their part uniformly refused; but they certainly did use their influence to repress at that moment, any agitation of their claims, in the hope that France, not less subdued by their generosity than by their arms, might be disposed to preserve inviolate a peace which had been studiously framed to serve as a bond of reconciliation, between the Nation and the King. They had also reason to expect that his Majesty would be advised voluntarily to restore a considerable proportion at least of these spoils, to their lawful owners.

But the question is a very different one now, and to pursue the same course under circumstances so essentially altered, would be, in the judgment of the Prince Regent, equally unwise towards France, and unjust towards our Allies, who have a direct interest in this question.

His Royal Highness, in stating this opinion, feels it necessary to guard against the possibility of misrepresentation.

Whilst he deems it to be the duty of the Allied Sovereigns not only not to obstruct, but to facilitate, upon the present occasion, the return of these objects to the places from whence they were torn, it seems not less consistent with their delicacy, not to suffer the position of their armies in France, or the removal of these works from the Louvre, to become the means, either directly or indirectly, of bringing within their own dominions a single article which did not of right, at the period of their conquest, belong either to their respective family collections, or to the countries over which they now actually reign.

Whatever value the Prince Regent might attach to such exquisite specimens of the fine arts, if otherwise acquired, he has no wish to become possessed of them at the expense of France or rather of the countries to which they of right belong, more especially by following up a principle in war which he considers as a reproach to the nation by which it has been adopted, and so far from wishing to take advantage of the occasion to purchase from the rightful owners any articles they might, from pecuniary considerations, be disposed to part with, his Royal Highness would on the contrary be disposed rather to afford the means of replacing them in those very temples and galleries, of which they were so long the ornaments.

Were it possible that his Royal Highness's sentiments towards the person and cause of Louis XVIII. could be brought into doubt, or that the position of his Most Christian Majesty was likely to be injured in the eyes of his own people, the Prince Regent would not come to this conclusion without the most painful reluctance; but, on the contrary, his Royal Highness believes that his Majesty will rise in the love and respect of his own subjects, in proportion as he separates himself from these remembrances of revolutionary warfare. These spoils, which impede a moral reconciliation between France and the countries she has invaded, are not necessary to record the exploits of her armies, which, notwithstanding the cause in which they were achieved, must ever make the arms of the nation respected abroad. But whilst these objects remain at Paris, constituting as it were, the title deeds of the countries which have been given up, the sentiments of reuniting these countries again to France, will never be altogether extinct; nor will the genius of the French people ever completely associate itself with the more limited existence assigned to the nation under the Bourbons.

Neither is this opinion given with any disposition on the part of the Prince Regent to humiliate the French nation. His Royal Highness's general policy, the demeanour of his troops in France, his having seized the first moment of Buonaparte's surrender to restore to France the freedom of her commerce, and, above all, the desire he has recently evinced to preserve ultimataly to France her territorial integrity, with certain modifications essential to the security of neighbouring states are the best proofs that, consideration of justice to others, a desire to heal the wounds inflicted by the Revolution, and not any illiberal sentiment towards France, has alone dictated this decision.

The whole question resolves itself into this:—Are the Powers of Europe now forming in sincerity a permanent settlement with the King? And if so, upon what principles shall it be concluded? Shall it be upon the conservation or the abandonment of Revolutionary Spoliations?

Can the King feel his own dignity exalted, or his title improved, in being surrounded by monuments of art, which record not less the sufferings of his own Illustrious House, than of the several nations of Europe? If the French people be desirous of treading back their steps, can they rationally desire to preserve this source of animosity between them and all other nations; and, if they are not, is it politic to flatter their vanity, and to keep alive the hopes which the contemplation of these trophies are calculated to excite? Can even the Army reasonably desire it? The recollection of their campaigns can never perish. They are recorded in the military annals of Europe. They are emblazoned on the public monuments of their own country; why is it necessary to associate their glory in the field with a system of plunder, by the adoption of which, in contravention of the laws of modern war, the Chief that led them to battle, in fact, tarnished the lustre of their arms?

If we are really to return to peace and to ancient maxims, it cannot be wise to preserve just so much of the abuses of the past; nor can the King desire, out of the wrecks of the Revolution, of which his Family has been one of the chief victims, to perpetuate in his House this odious monopoly of the arts. The splendid collection which France possessed previous to the Revolution, augmented by the Borghese collection, which has since been purchased (one of the finest in the world), will afford to the King ample means of ornamenting, in its fair proportion, the capital of his empire: and his Majesty may divest himself of this tainted source of distinction, without prejudice to the due cultivation of the arts in France.

In applying a remedy to this offensive evil, it does not appear that any middle line can be adopted, which does not go to recognize a variety of spoliations, under the cover of Treaties, if possible more flagrant in their character than the acts of undisguised rapine, by which these remains were in general brought together.

The principle of property regulated by the claims of the territories from whence these works were taken, is the surest and only guide to justice; and perhaps there is nothing which would more tend to settle the public mind of Europe at this day, than such an homage, on the part of the King of France, to a principle of virtue, conciliation, and peace.

(Signed) *Castlereagh.*

No. XVI.—DISPATCH *from the Duke of Wellington to Viscount Castlereagh, respecting the Restitution of the Works of Art; dated Paris, September 23*, 1815.

My Dear Lord; There has been a good deal of discussion here lately respecting the measures which I have been under the necessity of adopting, in order to get for the King of the Netherlands his Pictures, &c. from the Museums; and lest these reports should reach the Prince Regent, I wish to trouble you, for his Royal Highness's information, with the following statement of what has passed.

Shortly after the arrival of the Sovereigns at Paris, the minister of the King of the Netherlands claimed the Pictures, &c. belonging to his Sovereign, equally with those of other Powers; and, as far as I could learn, never could get any satisfactory reply from the French government. After several conversations with me, he addressed your Lordship an official Note, which was laid before the ministers of the Allied Sovereigns assembled in conference; and the subject was taken into consideration repeatedly, with a view to discover a mode of doing justice to the claimants of the specimens of the arts in the Museums, without injuring the feelings of the King of France. In the mean time, the Prussians had obtained from his Majesty not only all the really Prussian Pictures, but those belonging to the Prussian territories on the left of the Rhine, and the Pictures, &c. belonging to all the Allies of his Prussian Majesty; and the subject pressed for an early decision; and your Lordship wrote your Note of the 11th inst. in which it was fully discussed.

The Ministers of the King of the Netherlands, still having no satisfactory answer from the French government, appealed to me as the General in Chief of the Army of the King of the Netherlands, to know whether I had any objection to employ his Majesty's troops to obtain possession of what was his undoubted property. I referred this application again to the ministers of the Allied Courts, and no objection having been stated, I considered it my duty to take the necessary measures to obtain what was his right.

I accordingly spoke to the Prince de Talleyrand upon the subject; explained to him what had passed in conference, and the grounds I had for thinking that the King of the Netherlands had a right to the pictures; and begged him to state the case to the King, and to ask his Majesty to do me the favour to point out the mode of effecting the object of the King of the Netherlands which should be least offensive to his Majesty. The prince de Talleyrand promised me an answer on the following evening; which not having received, I called upon him at night, and had another discussion with him upon the subject, in which he informed me that the King could give no order upon it: that I might act as I thought proper; and that I might communicate with Monsieur Denon.

I sent my Aid-de-Camp, Lieut.-Col. Freemantle, to Monsieur Denon in the morning, who informed him that he had no orders to give any Pictures out of the Gallery, and that he could give none without the use of force.

I then sent Colonel Freemantle to the Prince de Talleyrand to inform him of this answer, and to acquaint him that the troops would go the next morning, at twelve o'clock, to take possession of the King of the Netherland's Pictures; and to point out, that if any disturbance resulted from this measure, the King's Ministers, and not I, were responsible. Colonel Freemantle likewise informed Monsieur Denon that the same measure would be adopted.

It was not necessary, however, to send the troops, as a Prussian guard had always remained in possession of the gallery, and the pictures were taken without the necessity of calling for those of the army under my command, excepting as a working party, to assist in taking them down and packing them.

It has been stated, that in being the instrument of removing the pictures belonging to the King of the Netherlands, from the gallery of the Thuilleries, I had been guilty of a breach of a Treaty which I had myself made, and as there is no mention of the Museum in the Treaty of the 25th of March, and it now appears that the Treaty meant is the Military Convention of Paris, it is necessary to show how that Convention affects the Museum.

It is not now necessary to discuss the question, whether the Allies were or not at war with France; there is no doubt whatever that their armies entered Paris under a Military Convention concluded with an officer of the Government, the Prefect of the Department of the Seine, and an officer of the Army, being a representation of each of the authorities existing at Paris at the moment, and authorized by those authorities to treat and conclude for them.

The Article of the Convention which it is supposed has been broken, is the 11th, which relates to public property. I positively deny that this Article referred at all to the Museums, or galleries of pictures.

The French Commissioners, in the original Projet, proposed an Article to provide for the security of this description of property. Prince Blucher would not consent to it, as he said there were pictures in the gallery which had been taken from Prussia, which his Majesty Louis XVIII. had promised to restore; but which had never been restored. I stated this circumstance to the French Commissioners, and they then offered to adopt the Article, with an exception of the Prussian pictures. To this offer, I answered, that I stood there as the Ally of all the nations in Europe, and any thing that was granted to Prussia I must claim for other nations. I added, that I had no instructions regarding the Museum, nor no grounds on which to form a judgment how the Sovereigns would act; that they certainly would insist upon the King's performing his engagements, and that I recommended that the Article should be omitted altogether, and that the question should be reserved for the decision of the Sovereigns when they should arrive.

Thus the question regarding the Museum stands under the Treaties. The Convention of Paris is silent upon it, and there was a communication upon the subject which reserved the decision for the Sovereigns.

Supposing the silence of the Treaty of Paris of May 1814, regarding the Museum, gave the French Government an undisputed claim to its contents upon all future occasions, it will not be denied that this claim was shaken by this transaction.

Those who acted for the French Government at the time, considered that the successful army had a right to and would touch the contents of the Museum; and they made an attempt to save them by an Article in the Military Convention. This Article was rejected, and the claim of the Allies to their pictures was broadly advanced by the Negociators on their part; and this was stated as the ground for rejecting the Article. Not only then the Military Convention did not in itself guarantee the possession, but the transaction above recited, tended to weaken the claim to the possession by the French Government, which is founded upon the silence of the Treaty of Paris of May 1814. The Allies then having the contents of the Museum justly in their power, could not do otherwise than restore them to the countries from which, contrary to the practice of civilized warfare, they had been torn during the disastrous period of the French Revolution, and the tyranny of Buonaparte.

The conduct of the Allies, regarding the Museum, at the period of the Treaty of Paris, might be fairly attributed to their desire to conciliate the French army, and to consolidate the reconciliation with Europe, which the army at that period manifested a disposition to effect. But the circumstances are now entirely different. The army disappointed the reasonable expectations of the world, and seized the earliest opportunity of rebelling against their Sovereign, and of giving their services to the common enemy of mankind, with a view to the revival of the disastrous period which had passed, and of the scenes of plunder which the world had made such gigantic efforts to get rid of.

This army having been defeated by the armies of Europe, they have been disbanded by the united Council of the Sovereigns, and no reason can exist why the Powers of Europe should do injustice to their own subjects, with a view to conciliate them again. Neither has it ever appeared to me to be necessary, that the Allied Sovereigns should omit this opportunity to do justice, and to gratify their own subjects, in order to gratify the people of France. The feeling of the people of France, upon this subject, must be one of national vanity only. It must be a desire to retain these specimens of the Arts, not because Paris is the fittest depository for them, as, upon that subject, Artists, Connoisseurs, and all who have written upon it, agree that the whole ought to be removed to their ancient seat, but because they were obtained by military successes, of which they are the trophies.

The same feelings which induce the people of France to wish to retain the pictures and statues of other nations, would naturally induce other nations to wish, now that success is on their side, that the property should be returned to their rightful owners, and the Allied Sovereigns must feel a desire to gratify them.

It is, besides, on many accounts, desirable, as well for their own happiness, as for that of the world, that the people of France, if they do not already feel that Europe is too strong for them, should be made sensible of it, and that whatever may be the extent, at any time, of their momentary and partial success against any one, or any number of individual powers in Europe, the day of retribution must come.

Not only then would it in my opinion, be unjust in the Sovereigns to gratify the people of France on this subject, at the expense of their own people, but the sacrifice they would make would be impolitic, as it would deprive them of the opportunity of giving the people

of France a great moral lesson. I have, &c.
Wellington.

No. XVII.—DISPATCH *from Viscount Castlereagh to the Earl of Liverpool, relative to the Abolition of the Slave Trade; Paris, July 27*, 1815.

My Lord; I have the honour to enclose to you an Extract of a Protocol of the 15th Conference, held between the Ministers of the four Allied Powers. I likewise transmit to your Lordship a Note, which, in consequence of what passed at the 15th Conference, I have addressed to Prince Talleyrand on the subject of the Slave Trade. I have, &c.
(Signed) *Castlereagh.*

(First Inclosure in No. XVII.)—*Extract of the Protocol of the 15th Conference.*

Viscount Castlereagh, his Britannic Majesty's Principal Secretary of State, &c., in reference to the communication he has made to the Conference, of the orders addressed to the Admiralty to suspend all hostilities against the coast of France, observes, that there is reason to foresee that French ship-owners might be induced to renew the Slave Trade, under the supposition of the peremptory and total abolition decreed by Napoleon Buonaparté, having ceased with his power; that, nevertheless, great and powerful considerations, arising from motives of humanity and even of regard for the King's Authority, require, that no time should be lost to maintain in France, the entire and immediate Abolition of the Traffic in Slaves; that if, at the time of the Treaty of Paris, the King's administration could wish a final but gradual stop should be put to this Trade, in the space of five years, for the purpose of affording the King the gratification of having consulted, as much as possible, the interests of the French Proprietors in the Colonies, now, that the absolute prohibition has been ordained, the question assumes entirely a different shape, for if the King were to revoke the said prohibition, he would give himself the disadvantage of authorizing, in the interior of France, the reproach which more than once has been thrown out against his former Government, of countenancing re-actions, and, at the same time, justifying, out of France, and particularly in England, the belief of a systematic opposition to liberal ideas; that accordingly the time seems to have arrived when the Allies cannot hesitate formally to give weight in France to the immediate and entire prohibition of the Slave Trade, a prohibition, the necessity of which has been acknowledged, in principle, in the transactions of the Congress at Vienna.

The other Members of the Conference entirely coincide in opinion with Viscount Castlereagh, and in order to attain this end in the manner the most advantageous to the authority and consideration of the King, it is agreed that it would be adviseable to preface, by a few observations, the verbal communication to be made to the King and to his administration, in order that his Majesty may be induced voluntarily to make the arrangement in question, and thus reap the advantage of an initiative, which will remove the idea in the interior of the kingdom of a tendency towards re-action, and will conciliate to the King, in foreign countries, the suffrages of the partisans of liberal ideas.—A confidential representation is to be made to the King accordingly.

(Second Inclosure in No. XVII.)—*Note from Viscount Castlereagh to Prince Talleyrand; Paris, July 27*, 1815.

Prince; The official Order to the Admiralty, which I had the honour of transmitting to your Highness on the 25th, having suspended hostilities against the coast of France, and against French ships carrying the White Flag, I have been directed by my Court, without delay, to call your attention to the necessity of guarding, under these circumstances, against any possible revival of the Slave Trade.

The British government conceive that under the operation of the Law of France, as it now stands, it is strictly prohibited to French subjects to carry on a Traffic in Slaves; and that nothing but a specific ordinance could again revive that commerce: but, whether this be the true construction or not of the state of the law in a technical sense, they feel persuaded that his Most Christian Majesty will never lend his authority to revive a system of this nature which has been, *de facto*, abolished.

I have desired Sir Charles Stuart to communicate to your Highness what passed on this subject at Ghent; the assurance the King was at that time pleased to give to the British Ambassador entirely tranquillized the Prince Regent's Ministers on this subject; but now that his Majesty has been happily restored to his Throne, they are most anxious to be enabled at once to relieve the solicitude of the British nation, by declaring, that the King, relieved by the state in which this measure now stands from those considerations of reserve which before influenced his conduct, does not hesitate to consider that question as now for ever closed, in conformity with those benevolent principles which are at all times congenial with the natural feelings of his Majesty's breast. I have, &c.
(Signed) *Castlereagh.*

No. XVIII.—*Dispatch from Viscount Castlereagh to the Earl of Liverpool, relative to the Abolition of the Slave Trade; Paris, July 29*, 1815.

My Lord; I had the honour of transmitting to your Lordship, by the last courier, the note which I had addressed to Prince Talleyrand on the subject of the Slave Trade, as also the

Protocol of the proceedings of the Allied Ministers on this point. I have since omitted no suitable means of following up this representation with the French government, and I have the satisfaction of acquainting your Lordship, that Prince Talleyrand has given me reason to expect, that I shall receive, in the course of to-morrow, an answer, signifying the King's concurrence in the measure of immediate and general abolition. It is my duty to acknowledge the decided and prompt support which I have received from the Allied Sovereigns on this important question. They have, in the most honourable manner, redeemed the pledge which they gave to the world during the late Congress, on the measure of abolition. I have, &c.

(Signed) *Castlereagh.*

No. XIX.—DISPATCH *from Viscount Castlereagh to the Earl of Liverpool, relative to the Abolition of the Slave Trade; Paris, July* 31, 1815.

My Lord; it gives me great satisfaction to find myself enabled to transmit to your Lordship, to be laid before the Prince Regent, the final act of his Most Christian Majesty, declaring the Slave Trade for ever abolished throughout the dominions of France. I have, &c. (Signed) *Castlereagh.*

P. S.—I likewise transmit to your Lordship a copy of the answer which I have addressed to Prince Talleyrand on this subject.

(First Inclosure in No. XIX.)—NOTE *from Prince Talleyrand to Viscount Castlereagh, declaring the Slave Trade for ever abolished throughout the dominions of France; Paris, July* 30, 1815.

My Lord; I have the honour to acquaint your Excellency that the King, in consequence of the conversation he has had with Sir Charles Stuart, and of the letter which your Excellency did me the honour to write to me on the 27th instant, has issued directions, in order that, on the part of France, the traffic in slaves may cease from the present time, every where and for ever.

What had been done in this respect by the Usurper was in the first place null and void, as were all his decrees, and moreover had been evidently dictated to him by personal motives of interest, and by hopes, which he would never have conceived, had he been capable of appreciating the British government and people. It had not, therefore, and could not have, any weight with his Majesty.

But it was with regret, that, last year, his Majesty stipulated the continuance of the traffic for a few years. He had only done so, because, on the one hand, he was aware that on this point there existed in France prejudices, which it was at that time advisable to sooth; and that, on the other hand, it was not possible to ascertain with precision, what length of time it would require to remove them.

Since that period these prejudices have been attacked in several publications, and with such effect as to afford his Majesty, this day, the satisfaction of following, without reserve, the dictates of his inclination, the more so, since it has been proved, by inquiries made with the greatest care, that the prosperity of the French Colonies, not being compromised by the immediate abolition of the trade, the said abolition is not contrary to the interests of his subjects, interests which above all, his Majesty thought himself bound to consult. This satisfaction is increased by the idea, that his Majesty at the same time, does what is agreeable to the government and people of Great Britain. Accept, &c.

(Signed) *The Prince de Talleyrand.*

(Second Inclosure in No. XIX.)—NOTE *from Viscount Castlereagh to Prince Talleyrand in reply; Paris, July* 31, 1815.

The undersigned, his Britannic Majesty's principal Secretary of State for Foreign Affairs, has the honour to acknowledge Prince Talleyrand's note of this date, conveying to him, the decision taken by his Most Christian Majesty finally to abolish the Slave Trade throughout the French dominions. The undersigned will lose not a moment in transmitting this communication to his Court, and he ventures, in the mean time, to assure his Highness, that the King could not have taken any determination more personally grateful to the Prince Regent and to the whole British nation. The undersigned, &c.

(Signed) *Castlereagh.*

No. XX.—A.—*Act of Acknowledgment and Guarantee of the perpetual Neutrality of Switzerland, and of the inviolability of its Territory.*

The Accession of Switzerland to the declaration published at Vienna the 20th March 1815, by the Powers who signed the Treaty of Paris, having been duly notified to the Ministers of the Imperial and Royal Courts, by the Act of the Helvetic Diet on the 27th of the month of May following, there remained nothing to prevent the Act of Acknowledgment and Guarantee of the perpetual Neutrality of Switzerland, from being made conformably to the above mentioned declaration. But the Powers deemed it expedient to suspend till this day, the signature of that act, in consequence of the changes which the events of the war, and the arrangements, which might result from it, might possibly occasion in the limits of Switzerland, and in respect also to the modifications resulting therefrom, in the arrangements relative to the federated territory, for the benefit of the Helvetic Body.

These changes being fixed by the stipulations of the Treaty of Paris signed this day, the Powers who signed the declaration of Vienna of the 20th March declare, by this present act, their formal and authentic Acknowledgment of the perpetual Neutrality of Switzerland; and they guarantee to that country the integrity and inviolability of its territory in its new limits, such as they are fixed, as well by the act of the Congress of Vienna, as by the Treaty of Paris of this day, and such as they will be hereafter; *conformably to the arrangement of the Protocol of the 3d November, extract of which is hereto annexed, which stipulates in favour of the Helvetic Body a new increase of territory, to be taken from Savoy, in order to disengage from Enclaves, and complete the circle of the canton of Geneva.*

The Powers acknowledge likewise and guarantee the neutrality of those parts of Savoy, designated by the act of the Congress of Vienna of the 20th May 1815, and by the Treaty of Paris signed this day, the same being entitled to participate in the Neutrality of Switzerland, equally as if they belonged to that country.

The Powers who signed the declaration of the 20th March acknowledge, in the most formal manner, by the present act, that the neutrality and inviolability of Switzerland, and her independence of all foreign influence, enter into the true interests of the policy of the whole of Europe.—They declare that no consequence unfavourable to the rights of Switzerland with respect to its neutrality, and the inviolability of its territory, can or ought to be drawn from the events, which led to the passage of the Allied troops across a part of the Helvetic States. This passage, freely consented to by the cantons in the Convention of the 20th May, was the necessary result of the free adherence of Switzerland to the principles manifested by the Powers who signed the Treaty of Alliance of the 25th March.

The Powers acknowledge with satisfaction that the conduct of Switzerland, under these trying circumstances, has shown that she knew how to make great sacrifices to the general good, and to the support of a cause, which all the Powers of Europe defended, and that in fine Switzerland has deserved the advantages which have been secured to her, whether by the arrangements of the Congress of Vienna, by the Treaty of Paris, of this day, or by the present act, to which all the Powers in Europe are invited to accede.

In faith of which, the present Declaration has been concluded, and signed at Paris the 20th November 1815. The signatures follow in the alphabetical order of the Courts.

AUSTRIA. - -	*The Prince de Metternich.*
	Le Baron de Wessenberg.
FRANCE. - -	*Richelieu.*
GREAT BRITAIN. - -	*Castlereagh.*
- -	*Wellington.*
PRUSSIA. - -	*The Prince de Hardenberg.*
	The Baron de Humboldt.
RUSSIA. - -	*The Prince de Rasoumoffski.*
	The Count Capo D'Istria.

No. XX.—B.—*Extract of the Protocol of the Plenipotentiaries of Great Britain, Austria, Russia, and Prussia, respecting the Neutrality of Switzerland; Paris, November 3, 1815.*

The neutrality of Switzerland shall be extended to the territory which is to the north of a line drawn from Ugine, comprehending that town, to the south of the lake of Annecy, and thence to the lake of Bourges, as far as the Rhone, on the same principles as it has been extended to the provinces of Chablais and Faucigny, by the 92nd Article of the final Act of the Congress of Vienna.—In order to enable the King of Sardinia to partake, in a fair proportion, of the advantages which result from the present arrangements with France, it is agreed, that the part of Savoy which remained with France in virtue of the Treaty of Paris of the 30th May 1814, shall be reunited to the dominions of his said Majesty, with the exception of the parish of Saint Julien, which shall be made over to the Canton of Geneva.—The Cabinets of the Allied Courts will use their good offices, in order to induce his Sardinian Majesty to make over to the Canton of Geneva, the parishes of Chesne, Thouex, and some others, which are necessary to disengage the Swiss territory of Jussy, in return for the retrocession, on the part of the Canton of Geneva, of the territory situated between the road of Erron, and the lake, which had been ceded by his Sardinian Majesty, in the Act signed the 29th March, 1815.—The French government having consented to withdraw its frontier line of Custom-houses, from the limits of Switzerland on the side of the Jura, the Cabinets of the Allied Courts will use their good offices, in order to engage his Sardinian Majesty also to withdraw them on the side of Savoy, at least one league from the Swiss frontier, and without the "Voirons" of Salève and the hills of Sion and Waache.

HOUSE OF COMMONS.

Monday, February 5.

MOTION FOR SUPPLY.] The order of the day being read, the House proceeded to take into consideration the Prince Regent's Speech; and lord Castlereagh moved, That a Supply be granted to his Majesty.

Mr. *Tierney* hoped he had understood the chancellor of the exchequer right on a former evening, when he collected from what fell from that right hon. gentleman, that an ample statement of the situation of the country would be made before the House was called upon to vote any supplies.

Lord *Castlereagh* said, it was usual at the commencement of a session, to vote in general terms that a supply be granted to his majesty, before any such statement could be made. It was the wish of government, before any great supply was called for, to lay before the House the promised estimates, and especially those of the army, which would be accompanied by an explanatory statement.

Mr. *Tierney* had expected that an explanatory statement would be given with the army estimates. He, however, was of opinion that the details of every item ought to be given before any supply was demanded. The chancellor of the exchequer had last year said, the expense of the peace establishment would be nineteen million. Before a vote was come to, either for the army or the navy, he hoped it would be stated what was to be the amount of the new peace establishment.

Lord *Castlereagh* said, that government had the same object in view as the right hon. gentleman, and were not less anxious to ascertain what would be the least necessary expense of the peace establishment. The difference in the expenditure attendant on the present peace establishment from that of former peace establishments, arose principally from the disparity between our military force now and at former periods. There was not so great a difference between our present and our former navy; and though there was some fluctuation to be observed in the miscellaneous services, this would not operate any great change in the peace establishment. Before any large supplies were moved for, sufficient information would be given on these points, to enable both the ministers and the right hon. gentleman to come to a clear conclusion on the question of the general expenditure of the country.

The motion was agreed to, and it was ordered that the House should to-morrow resolve itself into a committee of supply.

MONUMENT FOR THE BATTLE OF TRAFALGAR.] Lord *Castlereagh* rose, in pursuance of the notice which he gave on a former day, to call the attention of the House, to the propriety of their adopting some signal mode of expressing their gratitude, and that of the country, for the services which had been performed by the navy during the late eventful war. At the close of such a war it was very natural to expect that some token of public approbation—some indication of grateful acknowledgment, would be given of the sense entertained by the nation at large, of the great and transcendant achievements which had marked the career of our naval and military services, and which had brought to so happy a termination the war in which we had been so long engaged. During a period of twenty years, over which this eventful strife had spread, innumerable occasions had occurred to offer in detail to the army and navy, for the many splendid services they had performed, those tributes of approbation and applause, which the feeling of parliament and the country promptly suggested. They had not yet, however, done any thing to hand down to posterity, with an equal hand, the high and distinguished merits of these two illustrious branches. The House would no doubt be anxious to seize the present occasion to perform this duty, and thereby bestow a reward which would form the most grateful recompence to those whose deeds it was meant to celebrate. At the close of a war of such unexampled duration in this country, it was satisfactory to remark, that although at times the climate, the season, or the weather, might have proved unpropitious to particular services, yet that in no one great shock of arms, in no one general engagement in which the forces of the contending parties had been opposed had this country sustained a complete and signal defeat. While we had this gratifying thought to console us, for which we were more indebted to Providence and the justice of our cause, than to our own superiority over those with whom we contended, we had the satisfaction to see our history adorned with a series of the most transcendant victories, both by land and sea transcendant not only in themselves, but transcendant in their influence on the destinies of mankind. If any thing more could be said to exalt their respective merits, it arose out of the reflection, that throughout the whole war not the slightest symptom of jealousy had been manifested between these great rivals in arms. He thought also it ought to be stated as a feature of pre-eminent glory to the country, that the government had been enabled to confide to those who, from their habits and connexions, were known to be adverse to them in politics, the fleets and armies of the state; yet throughout the whole war the stream of glorious patriotic exertion had uniformly flowed, regardless of all party differences, for the honour of the country. The House would therefore feel most anxious to mark their high sense of the great services of those whose merits were only limited by the number of operations in which they had been engaged; and in endeavouring to convey this feeling to posterity, they would be most careful to avoid any thing that seemed to cast but a shade of difference in favour of one service over the other. The navy shared in the earlier stages of the war all those laurels to which transcendant valour was so justly entitled; while the army in the latter stages presented a series of unequalled successes, in which the skill of the officers, and the heroism of the men, admitted of no parallel. If the navy did not participate in these successes, and did not keep pace with their brethren in arms, it was not because they were not animated by the same spirit, but because they had already extinguished all competition, and thereby enabled the army to do that on the Continent which they had accomplished on the sea, namely, to crush every enemy by whom they were opposed.—Three plans for the erection of a national monument, had, in the course of his consideration of this subject, suggested themselves to his mind. The first was, the selection of the names of those individuals who had distinguished themselves in the course of the war. The next was, to select the great features by which the services of each profession had been marked, and to include them in a general expression of national gratitude. And the last was, the selection of some one distinguished feature of each profession; and by handing down that to posterity, afford a record of the achievements of our army and navy, which, although not accompanied by a detail of all which they had accomplished, would yet carry with it such proofs of the unqualified admiration with which their services were viewed by their country, as must prove alike satisfactory to all. The first, he thought, would be objectionable, because it would be impossible, in viewing the services of so many brave and gallant officers, to know where to draw the line, or where to close the pleasing enumeration. To the second he also objected, because it would be impossible to make selections out of the immense field of great examples of valour which our extended naval war had presented, without leaving out some which might excite a feeling of pain in the breasts of those towards whom it was desirable not even to suffer the slightest symptom of neglect to be thought to exist. Under these circumstances, and from the best consideration he had been able to give the subject, he was induced to think that the last proposition was the least liable to disapprobation. It was therefore his intention to submit to the House the expediency, in commemorating the achievements of the navy, while the whole of their brilliant services were acknowledged to make the great victory of Trafalgar, which, as far as respected national advantage, was the grand point of consummation in their brilliant exploits, as Waterloo had been with the army, the leading feature of the monument which the House were called upon to erect. The two professions would then stand in the view of posterity upon the same point of elevation. For while, on the one hand, the victory of Waterloo had decided the the fate of the enemy on the Continent, and had terminated in the total destruction of the power of Buonaparté—so, on the other, that of Trafalgar had crushed his hopes at sea, and dispelled and terminated the boastful menaces which Buonaparté had been accustomed to launch out against us. The one victory had frustrated the hopes which, from his reassumption of power, he had entertained of again disturbing the repose of Europe, and the other had secured us from the assault which he had planned against this country. The one victory had given us safety, as the other had removed all danger from our Allies. He therefore wished, in the vote of this day, that that transcendent action, which might be said to have terminated the war by sea, should be commemorated as that had been which recently closed hostilities on land. He had already said, that in the latter part of the war the traits of naval glory were less brilliant than they were in the former part. This, however, only arose from the circumstance of the enemy having ceased, from the successful exertions of that navy, to present himself in that tangible shape in which he was accustomed to appear before. But it would be a great act of injustice to suppose that the merit of the exertions of the navy finished with the glory of its exploits, or that the services of the navy became less important than they had been. The importance of the navy must be acknowledged, when it was considered how greatly its operations had conduced to the triumphs of our army. The navy had not merely contributed to these, by that most difficult and most painful of all services—he meant that of blockading all the ports of the enemy, but the navy had in truth been the instrument which had enabled our armies to make those efforts which had so conspicuously developed that singularity of power which England could alone boast, and which, if it did not enable us to be at different points at the same time, it put it in our power to act in different parts of the world so nearly at the same time, as to make the events which took place most wide of each other coincident. It had enabled us in the late war to follow up our operations in different quarters of the globe with a rapidity and success unparalleled in history. It had fallen to his lot to meet with a regiment before Paris, which had served at Thoulouse in April 1814, which acted in America in that same campaign, and which was again in France in the following July. He should be glad to know where instances could be found of such stupendous exertions having been made in different parts of the world by any other power. These, but for our navy, it would have been impossible for us to have accomplished; it was this, which, bringing with astonishing rapidity our forces from various places to new fields of action, had enabled us to bear on successive points with the happiest effect. These circumstances considered, he was sure the House would feel all the importance of the navy, and be happy to offer a new tribute of approbation to its distinguished merits. It was true they had already marked their feelings, on both the transcendent occasions referred to, and the votes of approbation recorded on their journals, were among the best rewards which men could receive who belonged to a free country; but if another mode could be found for commemorating a triumph so splendid, he thought it ought to be added to the honours which they had already conferred on those who had deserved so greatly of their country. He thought it would be congenial to the feelings of the House to immortalize the battle of Trafalgar as we had immortalized that of Waterloo; and that we should select that mode of accomplishing this end, which would preclude the most distant suspicion of preference between the two services. The noble lord concluded by moving,

"That an humble address be presented to his royal highness the Prince Regent, humbly to represent, that this House, being desirous of commemorating the splendid achievements of the British navy throughout the late wars, by erecting a national monument to its most signal and decisive victory, have humbly to request that his Royal Highness will be graciously pleased to give directions that a national monument be erected in honour of the ever memorable victory of Trafalgar, by which the maritime power of his majesty's enemies was humbled and subdued, and to commemorate the fame of vice admiral lord viscount Nelson, and the other officers, seamen, and marines, who died gloriously in their country's cause on that occasion, and in the maintenance of our national independence."

Mr. *William Dundas* said, that he felt great pain in differing from his noble friend in the proposition which he had submitted to the House. He could not, however, reconcile to himself how the nation could, in marking its gratitude by raising a naval pillar, omit the names of those who had, in the earlier parts of the war, celebrated themselves by their matchless exploits. What, he would ask, would posterity think when they came to find such a pillar without the names of lord Howe and his victory in 1794, that of lord St. Vincent, who had so eminently distinguished himself in 1797; and lord Duncan, who was equally eminent for his victory of the same year? His noble friend had grounded his proposition upon the precedent to be found in the monument voted to the victory of Waterloo. To detract from the merits of this last transcendent effort of the British arms, was far from his wish. Yet there was no reason which he could divine, because a monument was erected in honour of that battle, that there should not be other pillars erected to celebrate the martial exploits which had been achieved on other occasions; and to hand down to posterity the memory and names of all those who had so honourably distinguished themselves.

Sir *M. W. Ridley*, though it might be presumptuous in him to suggest any improvement to the motion which had been made, would take the liberty to hint, that if the exploits of the army and navy were commemorated on the same monument, it might be more gratifying to the members of those professions, and to the public at large. At the end of the last session, a monument had been voted to commemorate the victory of Waterloo, but it did appear to him that it was not too late for that vote to be amended. To combine the two, would be less expensive, and would be more grateful to the general feeling, and a nobler object would thereby be presented to public admiration. This he thought would be the most suitable way of commemorating those services which were universally acknowledged, to have been performed by the army and navy.

Lord *Castlereagh* expressed his hope and confidence, that the House would not consent to detract or take one iota from the vote which it had with such enthusiastic unanimity adopted to celebrate the splendid victory of Waterloo. Yet such detraction must be the case, if the House acceded to the suggestion of the hon. baronet. As to the observations of his right hon. friend, he perfectly agreed with his panegyric upon the victories of Camperdown, of St. Vincent's, and the Nile. But if a distinct monument were to be erected to each of those victories, would not the army then have some reason to complain if such victories as those of Vittoria, Badajos, Salamanca, and others, were not equally distinguished? His right hon. friend would, he hoped, see, on reflection, the inconvenience of such a course of proceeding as he recommended, and that the best ground to act upon was a principle of selection. That the selection made was unexceptionable, was in his opinion, evident. The object was, that the achievements of the army and navy should be transmitted to posterity in a parallel line of splendour. With that view a grand feature of distinction was taken from each service, and the signal victory of Trafalgar was thought best to correspond, most worthy to associate with the brilliant action of Waterloo. But it was not to be inferred, as some gentlemen with the best intention seemed to imagine, that the other victories achieved by our gallant soldiers and seamen were at all forgotten, although they were not specifically mentioned. The proposed monuments would serve to commemorate the merit of all those warriors, who had collected laurels for themselves in securing victory for their country.

Mr. *Horner* said, he gave full credit to the feelings of the right hon. gentleman who spoke second, in the wish that he expressed to see a monument by which the services of the whole navy might be commemorated, and in his fear that any one of our great naval victories might pass without its appropriate reward. Certainly, it might be desirable to recall every deed of glory that had distinguished our naval annals: particular individuals might feel more interested in one action than in another, from their connexions and relations in life, and might be convinced that its omission was injurious to the memory of those engaged in it; still, he thought that the proposition of the noble lord was more eligible than that which was stated by the right hon. gentleman who spoke after him. A selection, he thought, was necessary to be made, and if there was to be a selection, on what victory could we fix so properly as upon that of Trafalgar? It was, undoubtedly, the greatest in our naval history, in whatever point of view it was considered. It was not only transcendently great from the skill and heroism displayed, but important from its political consequences, it carried the naval renown of this country to a height it never before had reached, and left us not only without a rival, but without an enemy to contend with on sea. If the plan of the right hon. gentleman was to be adopted, and our late naval victories were to be commemorated in their order, where could we stop, or to what class of actions would we confine ourselves? There would be great difficulty in determining what victories the national monument should record, without incurring the imputation of invidious omission where the exclusion commenced. If the skill and intrepidity displayed in an action constituted alone a sufficient claim to participate in the present measure of national commemoration, then there were no limits to our list of celebrated battles or great naval commanders. All the navy had distinguished itself in every encounter with the enemy, and there was often as much intrepidity, as much experienced skill and determined bravery, displayed in engagements with single frigates, in capturing a gun-boat, or in cutting out a vessel from a hostile port under the fire of an enemy's batteries, as in gaining any of the victories which illustrate our naval history. The right hon. gentleman seemed to fall into a mistake with regard to the object of the noble lord's proposition. He seemed to imagine that, because a particular victory was selected, the monument was therefore to be exclusive; and that because the battle of Trafalgar was to be the action on which the admiration of the country was to rest, therefore none were to share in the glory of it but the officers who were actually present. This was a narrow view of this great exploit—it was a view that the country should not take of it. The House should consider it as an instance of splendid success representing the whole of our naval glory. It was to be considered as the property of the whole navy—as the fruit of the superior skill, gallantry, and heroism of all our naval defenders—as the consummation of our naval glory. He trusted, under all these circumstances, that the right hon. gentleman would not persist in his opposition to the noble lord, or disturb the unanimity which ought to prevail on such an occasion.

Mr. *W. Dundas* said, he had no intention to disturb the unanimity of the House on this occasion, and simply wished to throw out his suggestion for the better judgment of the noble lord.

Mr. *Tierney* said, he could not compliment the noble lord, as his hon. and learned friend had done, on the manner in which he had got out of the difficulty that pressed upon his present proposition. He did not think the difficulty in the least obviated; nor could he entirely concur in the measure proposed. The services of the navy were last year forgotten, when a monument was voted to commemorate the victory of Waterloo. That monument he did not grudge, nor did he wish to retract the grant; but he must remind the House, that the monument was exclusively confined to the victory of Waterloo. All the victories of our navy and army were then passed over, and this last great achievement alone mentioned. How did we now stand with regard to the navy? The noble lord thought it at last proper to bring forward a proposition to commemorate its services; but adopting the idea of employing one great battle to represent a series of victories, he was obliged to travel back ten years for it. Would it not be better to propose the erection of a building to commemorate the combined services of the army and navy? Would it not be better to join the successes of those two great branches of our militant force in one splendid monument of national gratitude and admiration, as they had been joined for our glory and defence? He did not wish that the battle of Waterloo should be deprived of its due commemoration; but he thought that a committee should be appointed to decide upon the best mode of commemorating the victories of the army and navy together, and with a regard, not to one engagement, but to the whole series of great actions. Every man knew the jealousy with which honours bestowed upon particular individuals in the army were viewed by others who were not invested with them, and who, because they were passed by, supposed they were unjustly neglected. When a ribbon or a high dignity was conferred upon one officer, the government was sometimes obliged to make another a baronet. This might happen with regard to the navy, and when a particular engagement was selected to the exclusion of others. A jealousy might naturally be expected to arise when such a marked distinction was shown, as in this case—when a particular battle was selected, not in a moment of enthusiasm excited by its occurrence, but ten years after it happened. If his proposal were adopted, something magnificent and splendid might be accomplished—something that would combine magnificence with utility. He thought that the erection of a church, in which the names of our naval and military heroes should be commemorated, and which should be sacred to the gratitude of the country for their success, would best answer the purpose we had in view.

Mr. *Bathurst* was of opinion that the step recommended by the right hon. gentleman could not be taken without undermining the vote already come to, in honour of the battle of Waterloo. That vote, agreed to on the spur of the occasion, in consideration of the magnitude of the service then rendered to the nation, he would not consent in any way to impair. He objected to the two services being commemorated in one monument, and was anxious to guard against a partiality being manifested for one service to the prejudice of the other. Upon the whole, as the present vote ought to be unanimous, and as difficulties must in any case occur, he thought the safest way would be to adopt the motion of the noble lord.

Mr. *Tierney* observed, that even after the present vote was carried, it might become a subject of consideration, whether the commemoration of the general services of both the army and navy might not be incorporated in one monument of appropriate magnificence.

Lord *Castlereagh* deprecated any mixture of the right hon. gentleman's view with the present motion, which he hoped would pass unanimously.

Lord *Binning*, though there was some difference of opinion manifested on the present occasion, was gratified to observe the eagerness with which all strove, who should do most in honour of those whose services it was now proposed to commemorate. A right hon. gentleman had said, that the only difficulty of the case arose out of the circumstance of the navy having been overlooked last session, but before that right hon. gentleman had finished his speech, he had made it appear, that that was not the only difficulty to be surmounted, and indeed he (lord B.) was satisfied, that if the question had been entered upon, when the monument to commemorate the victory of Waterloo was voted, the same impediments must have been encountered then, that the House had to get over now. As to the course recommended by the right hon. gentleman, of agreeing to the motion now, in order to undo it by making another, he did not think it that which the House ought to adopt. The first vote ought not to be touched, and unless this were changed, if the names of all those who had distinguished themselves in the navy were inscribed on the monument, the officers of the army would have a right to complain that they had not been honoured with a similar distinction. The battle of Trafalgar was the only action that could be compared with propriety to the battle of Waterloo. The proposition of the right hon. gentleman went, in his opinion, to make the House a little too executive. He thought they ought to leave it to the Prince Regent to decide what should be the character of the monument to be erected. After the monuments now proposed were erected, if it was thought desirable a church could be erected to commemorate the triumphs of our army. The proposition of the noble lord he thought the most eligible one yet submitted to the House, and he particularly approved of it, as it placed the two services on precisely the same footing.

Mr. *Forbes* begged, that while the House was debating upon splendid monuments to commemorate the achievements of the navy, it would consider somewhat the propriety of doing simple justice to the wants of the officers by whom those achievements were performed. The inequality between the officers of the army and navy with respect to pay and pensions, was lamentable and notorious. That the present first lord of the admiralty had done all in his power to reward the merit of naval officers, in the way of promotion, he was ready to admit, and most willing to applaud. That the grievances under which those meritorious officers laboured, were only to be cured by the interposition of parliament: for instance, there were many, too many, cases in the navy, of officers holding the rank of lieutenant for twenty and even twenty-five years, without obtaining any advancement, and he believed no such case could be found in the army. Again as to pensions: if an ensign who received a pension obtained promotion, his pension was advanced according to his rank, while if a subaltern officer in the navy were granted a pension, in consequence of the most severe wounds, that pension was never advanced, whatever promotion in rank he might subsequently obtain. Was, he would ask, such glaring inequality between the two services to be reconciled to common justice, or was it not rather calculated to excite perpetual heart-burning among a body of men, to whom the country owed infinite obligations—to whom that House was then about to testify its gratitude?

Sir *George Warrender* rose to order. The hon. member was, he thought, wandering from the question before the House, into statements which he or any person connected with the department in which he had the honour to hold a place, was fully able to answer, but which he could not attempt to answer, without also becoming irregular. The hon. member might, if he thought proper, bring the subject to which he referred, distinctly before the House upon a future occasion, when it would be competent to himself or his colleagues to reply.

Mr. *Forbes* said, that he meant only to state, that there was no just comparison between the manner in which the officers of the army and navy were treated, especially with regard to pensions and promotions.

The *Speaker* expressed a hope that the hon. member would see the inconvenience of pressing his observations upon the present occasion, especially as it was open to him to bring the subject to which he referred regularly before the House at another time.

Mr. *C. Long* observed, that another time would certainly be more proper for a discussion of the question introduced by the hon. gentleman than the present. It was an important subject, and would call for the most serious consideration. He did not rise for the purpose of disturbing the unanimity of the House; for however they might differ as to the mode of commemorating the great achievements of the navy, they were all agreed as to the propriety of raising a monument to perpetuate its fame. He could not agree with his hon. friend, on this occasion although he had the highest respect for his opinion. When he proposed, that there should be a general monument to the navy, and that the monument to the army should be confined to their services at Waterloo, he could not coincide in the suggestion. Surely, it might be said, that, beside the battle of Waterloo, great and transcendant as it was, many other glorious victories had been achieved by that great hero—perhaps the greatest that ever appeared in the world—the duke of Wellington. It would not, therefore, give general satisfaction to the country, if all the great naval victories were mentioned, while, of our successes by land, none were noticed, excepting the battle of Waterloo. A right hon. gentleman opposite had proposed to let the votes on the victories of Waterloo and of Trafalgar, be acceded to by the House, but to refer them to a committee. This would be taking on themselves, as a noble friend of his had justly stated, a portion of the executive power. The regular proceeding was, to vote an address to the Crown, and then to leave the business in the hands of the monarch. His hon. friend had desired to know, what sum it was intended to devote to this great national work. He also was anxious that that point should be settled. Being one of the persons appointed to examine the plans and models offered for the Waterloo monument, he had felt considerable difficulty, in consequence of his not being able to state what sum was to be appropriated to the work. When they applied to artists, they were regularly asked, what price was to be paid for the erection of the monument, since, without knowing that, they could not decide on the species of structure that was to be raised—whether a church, a column, or an arch. In almost every instance, the artists had observed, "before we can send in plans, you must give us some idea of the money to be expended." His hon. friend had said, that a column or an obelisk would be the most desirable structure for this national monument. He did not mean to controvert this opinion; but he could assure his hon. friend, that no two gentlemen he had conversed with coincided on this point. He could only say, that he would give the subject his best attention; and he certainly was most anxious to receive the opinion of his hon. friend, or of any other gentleman, on the subject. Those who were appointed to superintend the work would not act from any whim or fancy of their own, but from a strong desire to satisfy the feelings of the nation, by raising a monument worthy of its greatness and glory.

Lord *Castlereagh* said, that government felt very considerable difficulty in apportioning the sum to be expended on this great national work; but it was an essential point, first to ascertain, whether a separate monument should be erected to the army and navy, or whether one monument should answer for both? Should the House concur with him, in his proposition, it would not preclude the erection of a monument of the description alluded to by the right hon. gentleman (Mr. Tierney), to commemorate, by the same work the prowess of the navy and army, if it were deemed necessary to combine the recollection of their fame together, as they had been united in glory. When this point was settled, the government would be enabled to form some judgment, as to the scale of expense. It was, undoubtedly, as his hon. friend had stated, very natural for the country to wish, that the monument should exhibit a striking example of the state of the arts in Great Britain, at the present day—that it should, in fact, be no less honourable to the taste than to the feelings of a great people. This end, perhaps, could not be so well attained, if a certain sum were mentioned, beyond which all expenditure should be precluded.

Sir *Robert Heron*, in adverting to the various estimates which would probably be submitted for erecting those monuments, mentioned a model proposed by an artist last year, to commemorate the battle of Waterloo, the expense of executing which was estimated at two millions. It would be necessary, therefore, to examine, with some caution, the various models and plans which might be submitted, because if they were to have three monuments erected at that rate, they might be found a little too expensive.

Lord *Castlereagh* said, he did not mean that the present motion should preclude the House from a third vote, if they should afterwards wish to erect a joint monument for both services. As to the amount of the money, that must be left to the discretion of the Crown, but there would be no disposition to conceal the probable expense from parliament. The noble lord thought that it should be included in the account of public services.

Mr. *Tierney* observed, that he was sorry to hear the explanation of the noble lord, as he apprehended from it that they had not comprehended each other. He understood that the noble lord meant to take into consideration the two votes, for the purpose of ascertaining how far it might be practicable to unite both their objects in one common monument; but now it appeared that they were to have those two at all events, and a third one, if they liked, in addition. That certainly was not his view of the question.

Lord *Castlereagh* said, his observation was merely this; that the agreeing to the erection of the Waterloo and Trafalgar monuments, would not exclude the consideration hereafter, of the propriety of raising a church, or erecting any other building, in honour of the joint victories of the navy and army.

Mr. *Tierney* by no means wished to disturb the vote which was agreed to, after the battle of Waterloo; but he was desirous that some means should be provided for combining in one commemorative monument, the merits of the two services. With respect to the observation, that, if the resolutions were referred to a committee for their consideration, the House would, in some degree, become executive, it was one that deserved serious consideration. He conceived, that a specific sum should be named, for the purpose of erecting the proposed works. Until that point was adjusted, it was impossible for artists to execute the proper models.

Mr. *William Smith* said, he was rather dissatisfied with the last explanation of the noble lord. He thought, that while the House looked to the magnificence of the monument, it should be effected with as much economy as possible; and that would be best accomplished by blending the whole in one monument. If three monuments were to be erected, they must either abandon the idea of magnificence, or sacrifice a great portion of the public money which might be saved.

The motion was put, and carried, *nem. con.*

Mr. *Bankes* then stated, that he wished himself to be understood as decidedly objecting to any third monument.

Lord *Castlereagh* replied, that he certainly had no intention of proposing a third monument. All he said was, that the present vote would not preclude the House from entertaining that proposition, if it should think proper to do so.

Agricultural Distresses of the Country.] Mr. *Western* gave notice, that he should, on Wednesday se'nnight, move for a committee of the whole House, to take into consideration the present distressed state of the agriculture of the country.

Lord *Castlereagh* reminded the hon. member, that the day he had fixed upon would immediately precede the one on which a great and important question was to be discussed; and suggested whether it would not be better to name some other day.

Mr. *Brougham* said, he should fain hope the noble lord would postpone the consideration of the treaties to a longer period, on account of the great mass of documents connected with that question.

Lord *Castlereagh* replied, that he was anxious the subject of our political relations should be brought under the early consideration of the House, because till that was done, it would be impossible to enter upon the discussion of our military and financial arrangements for the year.

Mr. *Brougham* observed, that in consequence of coming only half prepared to the investigation of the treaties, it was probable they would have an adjourned debate of a fortnight upon them.

Mr. Western then fixed Tuesday se'nnight for his question.

State of the Prisons.] Mr. *Bennet* gave notice that he would, to-morrow, move for a copy of the commission, appointing certain persons to examine into the state of the Fleet and Marshalsea prisons.

Mr. *Addington* was not aware of any objection to the production of this document, and would therefore dispense with the hon. gentleman's preparatory notice.

Mr. *Bennet* then moved for the paper. His motion was agreed to. The hon. gentleman next inquired, whether the report of the chief justice of the court of King's-bench on the state of the King's-bench prison, had yet been made; and, if so, whether it would be soon laid before the House? The subject had been brought under the consideration of the chief justice, ever since September last, and it was time that something should be done.

Mr. *Addington* was not able to inform the hon. gentleman what steps had been taken.

Mr. *Bennet* wished to know whether the chief justice had made any communication on this subject to the office for the home department. Perhaps, also, the hon. gentleman could tell him whether any, and what steps were taken to reform the abuses that existed in the King's-bench prison? He believed that little substantial reformation had taken place.

Mr. *Addington* stated, that no communication had been made on the subject to the office to which he belonged.

HOUSE OF COMMONS.

Tuesday, February 6.

The Prince Regent's Answer to the Address of Thanks.] Lord George Beresford reported, that the Prince Regent having been attended with their Address of Thanks, was pleased to give the following Answer:

"Gentlemen;

"I thank you for this loyal and dutiful Address.—Having with the aid of parliament, and the support of his Majesty's people, surmounted so many difficulties, I look forward with confidence to maintain, unimpaired, those advantages which have been acquired by the energies of the nation, and which the wisdom of its councils will, I trust, long preserve.—The House of Commons may invariably rely upon my exertions being directed, in concert with them, to promote the public welfare."

State of the King's Bench Prison.] Mr. *Law* expressed his surprise and regret to hear of the observations which he understood an hon. gentleman had thought proper to make yesterday with respect to the King's-bench prison, and upon which he felt it due to justice to put to that gentleman some questions, especially as he was assured that the hon. gentleman's observations were unfounded. Before that hon. gentleman undertook to assert, that no improvement had taken place in the conduct of the King's-bench prison, and that no proceeding had been taken in consequence of the report of the committee of that House upon the subject, he apprehended that it was the duty of the hon. gentleman to have correctly informed himself respecting the fact, as indeed it was the duty of every man to collect accurate information before he ventured to accuse another. If the hon. gentleman had inquired, he would have found, that the report alluded to was under the consideration of the judges of the court of King's-bench, and that since the report was made, many important improvements had taken place in the management of the prison. For instance, the principal ground of complaint in the report referred to what were called indulgencies, namely, the permission of prisoners wives and children to sleep in the prison. This had been removed, by which no less than 280 persons were excluded. None were now allowed to remain in the prison, as he was assured, one woman only excepted, who was the attendant of a sick prisoner. As to the means of accommodation which the prison afforded, it contained 192 rooms, and the number of prisoners at present was about 500. Then, with regard to drainage, to which the report of the committee objected, measures had been taken to obviate that objection; the surveyor of the board of works having been to examine how the evil was to be remedied, and that remedy would be applied with all practicable expedition. Another complaint of the committee was, that the marshal of the King's-bench held three offices, while the care of the prison alone was sufficient to occupy his attention, and therefore two of those offices had been since given to other persons. The objection also of the committee as to the difficulty of some prisoners in finding accommodation immediately upon their committal, the marshal was taking measures to guard against in future. The marshal could not, it was obvious, enlarge the apartments of the prison, but the measures he was adopting promised to avert the recurrence of any inconvenience in future, as to the accommodation of prisoners upon their committal; but the difficulty of making such provision, the House would feel, when informed that no less than 307 prisoners had been committed to the King's-bench within the last term, 63 of whom were committed in one day. With respect to the complaint of the committee as to the prevalence of drunkenness, he understood that such an offence was punishable by the rules of the prison, and that it very rarely occurred, particularly of late. Then as to the want of medical attendance, to which the committee had referred, he had the satisfaction to state, that medical aid was gratuitously supplied by the marshal to all prisoners who could not afford to provide it for themselves, and that so far from any peculiar mortality prevailing in the prison, the average of deaths within the walls of the King's-bench had been for years considerably less than that usually found among the same number of persons out of prison. Under these circumstances, of the accuracy of which he was assured by Mr. Lushington, who was one of the members of the committee, he felt himself warranted in stating, that the assertion of the hon. gentleman was unfounded, namely, that no improvement had taken place in the King's-bench prison since the report of the committee. He had farther to state, that when Mr. Lushington last visited the King's-bench prison, and had all the rooms thrown open to him, to ask every prisoner whether he had any cause of complaint, he was uniformly answered in the negative. After this, he appealed to the House whether the hon. gentleman's animadversions upon the conduct of that prison were justifiable, and he would ask the hon. gentleman upon what information he thought proper to ground such animadversions? Reverting to the report of the committee, he felt he had shown that the principal grounds of complaint in that report were already remedied by the act of the marshal himself, and whatever grievance remained would, he was satisfied, be completely done away by the judges of the King's-bench, who had the report under their consideration.

Mr. *Bennet* said, that he did not make the observations alluded to by the hon. gentleman without due inquiry. What he stated was, that no great substantial improvement had taken place in the King's-bench prison since the report of the committee of which he had the honour to be a member, and that statement he now repeated. He did not say, that no improvement whatever had been made in the conduct of the prison, but the great objection which the committee felt and expressed, related to the manner in which the marshal was remunerated, namely, by extracting hundreds a-year from the poor prisoners through tickets for rooms &c. and that objection still remained. In this respect no alteration whatever was made. With respect to the disposition of the judges to attend to the report of a committee of that House, that might be judged of from this fact,—that although the report of the committee of 1792 respecting the abuses of the prison under consideration was laid before the judges of the King's-bench, the succession of judges since that day had so scandalously neglected their duty, that that report was never acted upon—that no proceeding whatever was taken in consequence of its suggestions. As to the state of the King's-bench prison, he could assert from personal observation, that he never examined any part of that prison without witnessing scenes shocking to humanity—that its general condition was quite unique—that, in fact, nothing like its abuses was to be found in any prison in modern Europe. It did not therefore become the hon. gentleman, for various reasons, to come forward and make any attack upon those gentlemen who undertook the performance of a public duty merely from a regard to humanity.

Mr. *Law* replied, that he had made the observations which had just fallen from him, in consequence of the hon. gentleman's having used the expression that no improvement had been made in the state of the prison, knowing, as he did that very great improvements had taken place, he could not but believe that the hon. gentleman had not made the inquiry he ought to have done. As to the marshal's salary, the judges had no control in the appointment of it; and of the three offices held by him, two had been given to other persons.

FARMING STOCK BILL.] Mr. *Lockhart* rose to move for leave to bring in a Bill "to regulate the Sale of Farming Stock and Crops taken in execution." He said, that by the common law, the sheriff, under a writ of execution, did not merely take the corn thrashed out, but he also was empowered to take corn in the sheaf, hay, and straw. Now, this was directly contrary to the provision so generally inserted in leases, that the hay and straw derived from the farm should be spent on it; besides which, the lessor's right under this provision attached on the property long before the creditor could have any claim against it. It was true that the landlord might perhaps gain some redress in equity by filing a bill for an injunction; but besides that this was neither pleasant nor economical, it was a remedy that generally came too late. He therefore proposed to prevent the sheriff selling hay and straw under the writ of execution, where a provision was contained in the lease that such articles should be consumed on the premises, by introducing a bill to regulate the sale of farming-stock in executions.—Leave was given to bring in the bill.

SINECURE OFFICE OF THE LATE EARL OF BUCKINGHAMSHIRE.] Mr. *H. Martin* asked, whether it was the intention of ministers to act upon the resolution of the House of Commons, on the 31st of May, 1810, with respect to the place held by the late earl of Buckinghamshire, in which place that resolution recommended a new regulation upon the expiration of the vested interest?

Lord *Castlereagh* said, that he was not prepared to answer the hon. member's question, but that he would inform himself upon the subject.

Mr. *Martin* stated, that if it was the intention of ministers to discard the recorded resolution of the House, he would take the earliest opportunity of submitting a motion upon the subject.

Mr. *Horner* expressed a hope, that ministers would not, in defiance of a resolution of the House, attempt to make any new grant of an office, the profits of which were so large, while the duties were insignificant.

Mr. *Brougham* observed, that according to the third report of the finance committee, it appeared that the office alluded to was vested in lord Buckinghamshire, with reversion to the two sons of the earl of Hardwicke.

Mr. *Horner* stated, that the two sons of the earl of Hardwicke to whom the report alluded, were now no more, and therefore, he concluded, that the place under consideration was quite vacant.

The 10th resolution of the 31st of May 1810, was then read, viz. "resolved, that it is the opinion of this committee, that the office of clerk of the Crown and prothonotary of the court of King's-bench in Ireland, the office of clerk of the common pleas in the court of Exchequer in Ireland, and prothonotary of the common pleas in Ireland, should after the expiration of the interests now vested in possession or reversion in the same, be regulated; and that the emoluments of the same, beyond the amount of such salary as may be provided for such offices respectively, be applied to the discharge of the salaries of the judges or other officers in the establishment of such courts respectively; and the surplus, if any, be carried to the consolidated fund of Ireland." On the proposition of Mr. Bankes, the 11th resolution was also read, viz. resolved, "that it is the opinion of this committee, that a bill or bills be brought in, to carry into effect such of the said resolutions as may require to be provided for by parliament."

Mr. *Brougham* asked, whether, if there was not any existing or vested interest in the place under consideration, it was the intention of ministers to make any new grant of that place?

Lord *Castlereagh* said, that he was at present unable to give the hon. gentleman any answer, but that he would inquire.

Mr. *Brougham* observed, that from the Report of the finance committee of 1808, there was a vested interest in the place alluded to only on the part of lord Buckinghamshire and the two sons of lord Hardwicke. Now if any new grant of the place had been made, it must have taken place either between the years 1808 and 1810 or since that period in defiance of the resolution of that House.

Mr. *Peel* said, he was certain that no grant of this place had been made since 1812, nor he believed since 1810.

Mr. *Brougham* asked the right hon. gentleman, whether, if all vested interest in the place were expired, it was his intention to bring forward a bill in conformity with the resolution of the House?

Mr. *Peel* replied, that he had formed no intention on the subject, as he was not indeed aware of the death of the Earl of Buckinghamshire until he had that night entered the House.

HOUSE OF COMMONS.

Wednesday, February 7.

PROPERTY TAX] Mr. *Lambton* presented a petition from the farmers and occupiers of land in the Middle and West Divisions of Chesterward in the county of Durham, praying for the repeal of the property tax, also of the reduction of the assessed taxes, and some regulation respecting tythes, all of which bore so oppressively upon agriculture. The hon. gentleman took occasion to express his wish and hope, that this petition would be followed by numerous petitions of the same character, in order to convince ministers that the people of England would not, among their accumulated distresses, endure the pressure of taxation for the express purpose of supporting unprincipled tyrants upon their thrones whether those tyrants were the Bourbons of Spain, or the Bourbons of France [Hear, hear!] Ordered to lie on the table.

FREEHOLD ESTATES BILL.] Sir *Samuel Romilly* rose, pursuant to notice to move for leave to bring in a bill which had, he said, already passed that House twice, and upon the last occasion without any division upon it, or even a single objection against it. Therefore it might be conceived that there was no necessity to make any observation at present in support of the motion. But yet, from some observations which had been made upon the merit of the measure, and from the nature of the objections pressed against it elsewhere, he felt himself called upon to occupy the attention of the House for a few moments. This was the more necessary lest the objections alluded to should have any effect upon some minds in consequence of the authority from which they proceeded. The object of the bill he had the honour to introduce was simply this, that freehold property should be subject to the payment of simple contract debts—that those who were perhaps the object of a testator's capricious bounty should be compelled to discharge that testator's debts instead of living in splendour upon his property, while his creditors were, probably suffering distress and reduced to bankruptcy. Against such a proposition he could not imagine any valid objection. If in any measure to remove existing evils any greater evils were likely to be induced, he would admit that it was the duty of the legislature to pause and abstain from such a remedy, in order to avoid the consequences. But what were the conseqences apprehended according to a statement elsewhere? Why truly, that if the bill were adopted the person upon whom any freehold property devolved could not dispose of such property without a decree in a court of equity, or without being fully satisfied that all the simple contract debts of the testator were discharged, and it was asked whether it would be fair to subject the disposal of freehold property to such an obstacle or incumbrance? But the fact was, that no such consequence was to be apprehended, and he believed that no member of the profession to which he belonged in that House would attempt to assert it, although the assertion had been made by a great authority in another place. The apprehension was, indeed, quite chimerical and groundless; nay, if it were not from a consideration of the great authority by whom it was expressed, he could hardly notice it with respect. The only view of the bill was, to place the simple contract debts, in the same situation with bond debts, and to compel a debtor's property to pay all fair claims upon it, and yet, to this indisputably just proposition, the objection to which he had adverted was put forth in the most formidable manner. By an act of 1807 the same remedy was given against the freehold property of persons in trade, which he proposed to extend generally, and yet no inconvenience, such as he had remarked upon, was ever found to result from that act. No decree of a court of equity was ever found necessary to facilitate the disposal of the freehold property of traders. Therefore he was warranted in concluding, from experience as well as from law, that the objection alluded to was chimerical, was perfectly nugatory.—Another objection stated to the measure was, that it did not go far enough, that it did not include copyhold estates. This objection, however, came not from the friends but from the enemies of the bill, who probably wished to impede its progress by involving it in additional difficulties. For it was notorious that according to law copyhold estates were not liable to the payment of any debts, even during the life of the debtor, and yet by these objectors it was desired to subject such estates to those debts after his death. But what was the obvious wish of these objectors? They knew that if their proposition were adopted, a cry was likely to be raised against the measure; that it was a very bold innovation; that it proposed to interfere with the rights of every lord of a manor, and probably the old clamour about reverence for antiquity, and veneration for the habits of our ancestors, would be called into action against the bill altogether, to render the opposition to it more formidable. Another objection to the bill, and he felt it indeed only necessary to state it, like the others he had mentioned, in order to demonstrate its futility. It was urged, that the effect of the bill would be to afford an opportunity for the establishment of demands against freehold property, upon mere parole evidence, and thus offer an encouragement to perjury. But to obviate this objection, it was only necessary to state that parole or verbal evidence would be sufficient to establish any claim upon a debtor in his lifetime and why not after his death? Verbal evidence was sufficient to establish any claim upon personal property, and why not then upon real property? If indeed such evidence were insufficient, then a most material change must be made in our law, affecting alike all descriptions of property or contract, in which it was at present deemed valid. But the objection referred to was nugatory. Another objection was, that if the bill were adopted, young men entitled to freehold property would be furnished with undue facilities of obtaining credit, and thus led to ruin. But this also was chimerical; for it was notorious, that those who were likely to give credit or lend money to supply the extravagance of young men, were in the habit of securing themselves by bonds, which always affected the freehold property; and the view of the bill he proposed was to put simple contract creditors, whose claims were generally more just, upon the same footing. Another objection which proceeded from the friends of the bill, but not members of the profession, was, that it was not constitutional—that it interfered with the rights of juries. If it would drive parties into equity, he should indeed allow, that this was an objection to the measure; and he was the last person who would wish to put parties to the delay or expense of a chancery suit. This objection had been urged, as if the remedy proposed were to drive parties to a bill in equity, instead of obtaining redress by action: but this was not the case; the object was to afford redress by action, instead of driving parties to a bill and action too. At present, whenever any difficulty occurred, the party, after an action, was frequently driven to a suit in equity: by the present measure, the remedy in equity would not be taken away indeed, but the remedy by action would be added.—He should touch on one more objection before he concluded: it had been suggested, that this was not a single measure, but that the proposers meant to follow it up by a whole course of experimental alterations. This certainly was not the case, nor did he think it possible at present. Most happy should he be, if he could carry the reform of the laws of debtor and creditor to a much greater extent than had hitherto been attempted; for sorry he was, that notwithstanding all the boasts respecting our system of judicature, the practice of our laws was most grossly defective in justice, and not at all calculated to the state of society in which we live. To say nothing of the circumstance that only half of a debtor's land could be taken in execution by his creditor, it was notorious that a debtor could always protract the payment of his debts at pleasure, by delays profitable only to the profession, by writs of error, sham pleas, and other tricks too numerous to be mentioned. It was indeed most desirable that they should be all abolished; and if he had the power to do so, or it were possible, he should be most happy to see such a measure carried into effect. At present he had only to propose the single measure before the House, which was, if possible, more desirable at this moment than at any former period, both on account of the aggravated distresses of the country, and because we had lately adopted a most important alteration in our civil policy, by the introduction of the insolvent debtor's act—a measure which at the time he thought beneficial, and continued to think so still. But justice ought to be rendered to the creditor as well as the debtor, which he feared was not the case under the present insolvent act; though, when it passed, he understood, that some improvement was to have been made in it respecting the interests of creditors. He concluded by moving, "That leave be given to bring in a bill to subject the freehold estates of persons who die indebted to the payment of their simple contract debts."—Leave was given.

BILL TO RESTRAIN GRANTS OF ANNUITIES.] Mr. *Preston* moved for leave to bring in a Bill to restrain the Grants of Annuities on the terms of being re-purchaseable. The hon. and learned member enlarged upon the necessity of preventing this mode of raising money, which was in its consequences so injurious to the interests of the community, and had at length obtained a frequency which rendered it high time to call for legislative interference.

Mr. Serjeant *Onslow* objected entirely to the measure proposed, and thought it would be only an augmentation of the evil complained of, by forcing every person in distress to borrow money on the pernicious terms of an irredeemable annuity. He was persuaded that all legislative interference in these cases was worse than futile, and often the very cause of the distress it sought to remedy; for when the market price of money was higher than the legal price, the lender, who would not part with his property at less than the market price, was obliged in fact to charge much more, in order to indemnify himself against the risk he incurred by lending at higher interest than the law allowed. This indemnity could always be obtained under some subterfuge of premium or commission, and the borrower suffered thus by the very law that so injudiciously interfered for his protection. The interest of money, like the price of every other commodity, should be left to find its own level.

Mr. *Lockhart* thought that a better mode might be devised of answering the hon. and learned gentleman's intention, but still he would not oppose the motion.

Leave was given to bring in the bill.

PROROGATION OF PARLIAMENT AND STANDING ARMY.] Lord *Nugent* rose to postpone the motion of which he had given notice for Monday, with respect to the prorogation of parliament, with regard to which, his opinion was by no means changed by what the House had heard on a former evening from the Chancellor of the Exchequer, and as to the proposed peace establishment, especially the maintenance of a standing army in a foreign nation, his mind still retained the same impression as he had before expressed with respect to its constitutional policy and practical expediency. But he reserved the right of bringing those questions under the consideration of the House on a future occasion. The noble lord was proceeding, when

The *Speaker* interfered, and submitted to the noble lord, that any observations in the present instance, would not be strictly regular according to the custom of the House.

Lord Nugent then put off his notice, without mentioning the day on which he meant to bring forward his promised motion.

SINECURE OFFICE OF THE LATE EARL OF BUCKINGHAMSHIRE.] Mr. *Brougham* asked the right hon. Secretary for Ireland, if he had yet ascertained whether there was any existing interest in the place occupied by the late lord Buckinghamshire?

Mr. *Peel* replied, that he had ascertained there was no existing interest in the place alluded to; adding, that it was the intention of his majesty's ministers to make a new regulation of that place, in conformity with the Resolution of that House, the terms of which regulation would be submitted to the consideration of parliament. Some delay would, however, necessarily take place in arranging that regulation, as reference must be had to Ireland, where a general inquiry was going on with respect to the several courts of that country.

Mr. *Brougham* reminded the right hon. gentleman, that according to the Resolution of 1810, the place referred to was not to be regulated like other places, that is, reduced from 11 or 12,000*l.* a year to 3,600*l.*, but to be totally abolished, while the little duty attached to it was to be performed by deputy.

Mr. *Peel* reminded the learned gentleman that there was a precedent resolution in 1810 to that quoted by the learned gentleman, saving the rights of the Crown, and by which provision was made to grant compensation to meritorious officers.

Mr. *Brougham* expressed his determination, if any attempt were made to make any grant to the Crown in consequence of the abolition of this enormity, for such he must consider the sinecure alluded to, decidedly to oppose it. As to compensation to officers, nothing of the kind could be pretended on this occasion, as there was no existing interest.

Mr. *Peel* said, that he made no allusion to any grant to the Crown. All he meant to say was, that according to the precedent resolution to which he referred, provision was made to reward or compensate any meritorious officers, whose interest might suffer by the regulation of any of the offices to which the subsequent resolution quoted by the learned gentleman adverted.

Mr. *Horner* observed, that it would be unsatisfactory to regulate, or even abolish, the office by any other mode than by act of parliament, because by no other mode would the public have any security against its revival.

SUPPLY.] Mr. Brogden appeared at the bar with the report on the motion "That a supply be granted to his majesty." On the question being put, that the report be brought up,

Mr. *Tierney* rose and observed, that a noble lord whom he did not then see in his place, had said, that the House should not be called upon to vote any supplies till it was in possession of what was to be the intended peace establishment. For himself, therefore, he should expect that information to be given previously to a supply being voted, and if he should feel it his duty to oppose any vote of supply, it would be on that ground.

Mr. *Lushington* said, that he had, on the preceding day, in the absence of his right hon. friend, stated, that it was the intention of the chancellor of the exchequer to lay before the House, on the earliest opportunity, a general view of the ways and means for the year; and he had even ventured to name a day when he thought it probable that communication would be made. Meanwhile, the ordinary supplies might be voted in the usual way.

Mr. *Tierney* said, it was the usual way in which the supplies had been voted for some years past to which he objected.

The *Speaker* then put the question, that the report be received, when several members exclaimed, No, no, upon which the gallery was ordered to be cleared; but,

Mr. *Bathurst* rose and observed, that the course which the House seemed inclined to pursue, was certainly a departure from its customary practice. The question then before them did not involve an assent to any particular branch of the supply; it only went so far as to recognise a supply generally; and surely some supply must be granted. If the present report were brought up and received, it would still be open to the right hon. gentleman opposite to object to any specific item that might be proposed, upon the ground that no statement had yet been made of the general finances of the country.

Mr. *Preston* thought it quite right to oppose any grant of money until the House should have ascertained that the country was in a state of solvency. It was proper to teach ministers that lesson which they did not yet seem to have learnt, that they had brought the country to such a situation as to make it improper to go a step further without due information as to her means.

Mr. *Tierney* observed, that as there was no general principle upon which the House could refuse any supply, it might be necessary to reflect a little before they proceeded further in their present opposition. He recollected that in the last session of parliament he had himself voted against the supplies generally, but then it was because he objected to the war into which the country was about to be plunged, and therefore he objected to the supplies which would be necessary to carry on that war. On the present occasion there existed no such general principle; but, unquestionably, when they came into the committee, he, for one, should oppose the voting of even five pounds until some explanation was given upon the finances of the country, and the intended peace establishment. It would not be correct, however, to oppose generally any supply, and he hoped, therefore, the hon. gentleman behind him would suffer the present question to go to the vote.

Sir *Gilbert Heathcote* said, that the right hon. gentleman had looked at him, as if he were the person who meant to divide the House, which certainly had never been his intention: but if, by concurring in the present vote, he was to be understood as sanctioning any peace establishment which the right hon. gentleman opposite might choose to propose, he would take his ground at once, and resist any supply being voted, for he would never concur in any thing like the peace establishment which he understood it was in contemplation to bring forward.

Mr. *Sturges Bourne* observed, that it was quite unusual to oppose a general vote of supply, merely because the chancellor of the exchequer had not made any statement upon the finances of the country.

The gallery was then cleared for a division, and during the exclusion of strangers, Mr. Brougham rose to ask some question, turning upon a declaration made by lord Castlereagh on a former night, when it was observed, that the noble lord not being present, the question ought not to be put. Upon this Mr. Bennet remarked, that it was the duty of the noble lord to attend the sittings of that House during the discussion of public business, and that his absence from it was a mark of disrespect. Mr. Lambton added, that the noble lord was salaried by the public for the discharge of his duty, and his not performing it in that House was both a neglect and an insult. The House did not ultimately divide but the report was received and agreed to.

EXTENTS IN AID.] Mr. *Preston* said,

that the number of processes issued by government in the course of the last year, had been so excessive, that the subject deserved the most serious attention of the House. The evil was so far increased, as to have become truly alarming. In his tour through Devonshire, in the course of last summer, he had learnt, that, in the town of Biddeford alone, 140 of these processes had been issued in the course of the year. Like measures were taking place, he understood, in every other part of the country, and in consequence of this, and the depressed state of agriculture, barns were every where locked up, and the tenants running away. He therefore begged leave to move, "That there be laid before this House, a return of the extents, extents in aid, and other processes of the Crown, either for taxes or other debts, which have been issued in England during the year ending the 1st of February 1816, with the sums for which such extents and processes were awarded." Ordered.

HOUSE OF LORDS.

Thursday, February 8.

THE TREATIES—PEACE ESTABLISHMENT, &c.] The Marquis of *Lansdowne* gave notice that he would to-morrow move for an account of the peace establishments in the military department, in each year from 1783 to 1792. His lordship afterwards stated that it was of great importance to have this account as speedily as possible, and understanding that there was no objection to it, he would move for an account, first, of the amount of the army in Great Britain, Ireland, and the colonies and plantations, on the 24th of June and 24th of December in each year, from 1783 to 1792; also for an account of the ordnance and engineer establishments, &c. during the same period. The account was ordered—The noble marquis then stated, that if there was no difficulty in making up the account, he would now move, for an account of what was due from France to this country, for prisoners of war, with reference to the last war.

The Earl of *Liverpool* was not aware of any difficulty in making up the account, but wished the noble marquis to state more precisely to what period his account referred; whether merely to the last campaign or not. If it related to the war previous to the last campaign, he would observe that the account had been cancelled by the treaty of 1814.

The Marquis of *Lansdowne* said, that he wished it to refer to the two last wars.

The account was moved for in that form, and ordered accordingly.

The Marquis of *Lansdowne* then stated, that he had some questions to put to the noble earl with reference to the treaties, and the documents laid on their lordships table a few days ago; and upon the answer of the noble earl to these questions it would depend whether he should think it necessary to make any motion on the subject. The first question was, whether, between the period of the treaty of the 25th of March, 1815, signed at Vienna, on behalf of the different powers, and the period of the subsequent military occupation of Paris by the allied troops, any communications had passed between the ministers of the several powers, or any agreement had been entered into among them, with respect to the future government of France, in case the operations against Buonaparté should be attended with success? The second question was, whether, at or previous to the military occupation of Paris, any communication had passed between the ministers of, or persons authorized by all or any of the allied powers, and the provisional government established in France at the period of the abdication of Buonaparté? The third question was, whether, in the course of the late negociations between the several powers of Europe, any thing had passed relative to the loan advanced by this country to Austria, and whether any and what arrangements had been made for the repayment of the same?

The Earl of *Liverpool* was anxious to give the noble marquis all the satisfaction in his power relative to the several matters to which his questions referred. And therefore, as to the first question, whether any communications had passed between the different powers as to the future government of France, in case the enterprise against Buonapartê should be successful? he could state, from his general recollection, that no precise communication had passed on that subject during the period to which the noble marquis had adverted. Some information on the point might, he believed, be found in the documents which had been laid on the table. There was some reference, if he recollected rightly, in these papers, to the eventual restoration of the Bourbons. He could not take upon him to say whether any and what conversation had taken place on that head during the period mentioned; but there was nothing in the shape of communication as to that matter. It was notorious, however, that the allies always professed a very earnest wish and desire that the Bourbon government should be restored, but without making it a *sine quâ non* in any negociation for peace with France. He did not know whether this answer would be satisfactory to the noble marquis, but it was all he could at present say upon that matter. There was always an anxious desire on the part of the allies that the Bourbon government should be restored; but they had entered into no sort of agreement, nor was there any thing in the nature of an engagement, to effectuate that object. Then, as to the third question of the noble marquis, relative to the Austrian loan—he supposed the noble marquis alluded to the loan of 1795 or 1796. Nothing had passed on that subject in the course of the late negociations.

The Marquis of *Lansdowne* understood the noble earl as stating that no negociation took place, and that nothing in the nature of an engagement had been entered into between the allies as to the future government of France: if that was so, the consequence must be, that we were perfectly free on that point at the period of the occupation of Paris by the allied troops. As to the other points, it certainly was not satisfactory to him to hear that no communications had passed between the allies and the provisional government of France, because an offer of communication had certainly been made on the part of the provisional government, and he presumed he was to understand that the offer had been rejected.

The Earl of *Liverpool* nodded assent.

Lord *St. John* observing that the convention of Paris was not amongst the papers laid before the House, moved an address to his royal highness the Prince Regent, praying for its production, which was ordered.

Lord *King* observing, that the convention respecting the occupation of a military line in France, referred to an argreement to be entered into by the allies, respecting the specific distribution of that force, and the positions the troops of each power were to occupy, wished to know, whether such an agreement had been concluded, and if so, that it might be laid before the House?

The Earl of *Liverpool* said, such an agreement had been entered into, and he thought it had been among the papers before the House, but if not, he would give the noble lord information upon the subject to-morrow.

Lord *King* also referred to the protocol for the distribution of the 700 million to be paid by France, observing, that it was there stipulated that Austria and Prussia, on account of pressing exigencies, should, in the first instance, have more than their distributive share of the amount. He wished to know, whether the payment of this anticipation of what they would only be entitled to receive at a future period, was in any way guaranteed by this country?

The Earl of *Liverpool* stated, that the only object of the stipulation was, that Austria and Prussia should, on account of pressing necessity, receive in the first year more than their shares; whilst in the other years England and Russia would receive more than their shares, which would restore the equilibrium.

The Duke of *Sussex* shortly adverted to the subject of a treaty, purporting to have been entered into between Russia, Prussia, and Austria, and signed at Paris on the 26th of September last, in which the subject of religion formed a prominent consideration. He thought some information should be given to parliament on the subject, as to the existence, nature, and extent of the treaty, and wished to know whether it was among the documents laid upon the table, or intended to be communicated; and whether the copy which had come before the public was a correct or authentic one.

The Earl of *Liverpool*, was not at the moment prepared precisely to answer the questions of the illustrious Duke. There had been a convention signed between those powers, on the subject to which his royal highness had referred; but whether the copy of the document which was alluded to was a correct one or not, he was unable to say.

The Duke of *Sussex* asked, whether that treaty had been communicated to the government of this country?

The Earl of *Liverpool* answered, that the treaty was officially communicated to the minister of this country at Paris.

HOUSE OF COMMONS.

Thursday, February 8.

MAD-HOUSES.] Mr. *Rose* said, that as chairman of the committee of the last

Session, for inquiring into the conduct of mad-houses, he was instructed to move the House for leave to bring in a bill for the better Regulation of such establishments. But some gentlemen of the committee being desirous that further investigation should take place, he had acceded to their wish, although the majority of the committee concurred with himself in thinking, that sufficient evidence had already been adduced to justify the proposition of a bill; therefore he should propose, instead of a bill, "That a committee be appointed to consider of provision being made for the better regulation of mad-houses in England, and to report the same, with their observations thereupon, to the House."—A committee was appointed accordingly.

Convention of Paris.] Mr. *Bennet* asked, whether the noble lord opposite had any objection to lay before the House a copy of the Convention of Paris?

Lord *Castlereagh* replied, that he had no objection to the production of this document, if the hon. member thought proper to move an address for it.

Mr. *Bennet* observed, that there was another document connected with this convention which he also wished to have laid on the table, namely, a copy of the correspondence with the English government respecting the claims of marshal Ney under that convention.

Lord *Castlereagh* said, that the hon. member might to-morrow move for the document alluded to, and that he, in the mean while, would consider the subject.

Estimates for the Year.] Mr. *Lushington* moved for the following estimates for the year 1816:—the expense of the ordinary of the navy, and the claims of the marines; the expense of guards and garrisons, and other land forces; the expense of building and repairing ships in the King's yards; the expense of the office of ordinance for land forces; the amount of expense incurred, and not provided for by parliament; the probable expense of the transport service; the amount of what was likely to be wanted for the hire of transports, together with a return of the debt of the navy for 1815.

Mr. *Tierney* complained that the annual account of the income and expenditure of the country was seldom produced till after Easter, though those accounts were always made up by the 5th of January: one or two papers of little importance might, he admitted, be sometimes produced before that period, but never the whole mass of the papers together.

Mr. *Lushington* did not think it practicable to present the papers alluded to sooner than they were usually laid before the House.

Mr. *Huskisson* observed, that according to the provision of the act, the papers referred to were to be presented before the 25th of March, and that provision was uniformly complied with. But it would be impracticable to present those papers sooner, as they could not be made out without collecting information from all the outports.

Mr. *Tierney* remarked, that those accounts were made up only to the 5th of January, and therefore he could not conceive the difficulty of preparing them for presentation to the House at least within the month of February; it was obviously desirable that they should be laid before the House as soon as possible, in order that it might be seen whether there was any excess or diminution in the revenue or expenditure.

Mr. *Rose* said, that the right hon. gentleman was mistaken in supposing that the papers referred to could be prepared before the 25th of March. Those papers notoriously required a great deal of labour and industry; and although the expenditure might be ascertained, it would be difficult, nay impossible, to collect the details as to commerce, from the necessary reference to all the outports, so soon as the right hon. gentleman imagined.

Mr. *Tierney* disclaimed any wish to call upon gentlemen for the performance of impossibilities, but he was anxious that at least the accounts conveniently attainable should be presented as soon as possible, in order to guide the judgment of the House.

The motion for the Estimates was then agreed to.

Economy.] Sir *Robert Heron* wished to know from the noble lord opposite, when it was intended to bring forward those measures of economical reform, which had been mentioned in the Speech of the Prince Regent, and the expression of which had been received with so much satisfaction by the House.

Lord *Castlereagh* was not aware that the part of the Speech which had been mentioned alluded to any one particular measure. The hon. member would find, that the principle of economical reform would be attended to in all the measures which government during the session would submit to the House, in as great a degree as was consistent with the other great principle mentioned in the Speech, namely, that of public security.

Mr. *Law* requested to be informed by the noble lord if there was any intention of moving the thanks of the House to general Ochterlony, and the officers and soldiers under his command, for their achievements in India.

Lord *Castlereagh* replied, that the subject was not connected with the department to which he had the honour to belong, but that he would inquire, and inform the hon. member at another time.

THE TREATIES.] Mr. *Brougham* inquired whether the noble lord opposite still persisted in his resolution not to accede to any farther delay than Thursday next, to afford gentlemen an opportunity of examining the mass of papers presented to the House, relative to the late Treaties; For in that case he was likely to be under the necessity of making motions for the production of other papers without any previous notice, which he felt to be a privilege belonging to any member of that House.

Lord *Castlereagh* said, that he had not expressed any resolution upon the subject, but he had observed, as he felt, that it was extremely important to the arrangement of our establishments, to our money concerns, and to our foreign politics, to have the great transaction alluded to discussed and decided upon by parliament as soon as convenient. He had, however, no motive to adhere to a particular day, and therefore he should agree to postpone the proposed discussion until Monday week, if it were any accommodation to the hon. and learned gentleman.

Mr. *Brougham* observed, that as the noble lord had thought proper to make this concession, gentlemen would have more time, which was necessary to enable them to decide what farther papers might be required to elucidate those upon the table; and in consequence of the proposed postponement, he should put off until that day week the motion of which he had given notice with regard to the proceedings in Spain. He should also give notice of a motion for to-morrow, for the production of certain papers, which, considering the terms of the Prince Regent's speech, and the observations of the noble lord upon that speech, he could not regard as fabrications, and, if genuine, they were peculiarly calculated to fill his mind with jealousy and alarm. Those papers he thought it fair to describe, in order that the object of his notice might be distinctly understood. The first paper related to the Treaty which had appeared before the public, and which purported to have been concluded at Paris on the 26th of September, 1815, between Austria, Russia, and Prussia, to which also other powers were invited to accede. There were, however, no papers on the table to show whether this country or France were any parties to that treaty, which was ratified, it appeared, at Petersburgh on the 25th of December, accompanied by an ostentatious statement, that that day was the anniversary of our Saviour's birth. This extraordinary treaty was quite vague. It professed no definite secular or temporal object. The contracting parties put themselves forth as the great christian states, as if they were the monopolists of christianity. But their pretension justified serious suspicion that they were leagued against some state not christian, and that they had something in view, which it was not deemed prudent to avow. Holy pretences and professions were so often the palliatives of unjust designs, that a contract of this nature was calculated to excite alarm and jealousy [Hear, hear!]. Another treaty, to which his motion would refer, was one which it was said was concluded in January 1815, between Austria and France, and some other power not mentioned, the object of which was to form a guarantee against Russia. He wished to know whether such a treaty had not been concluded, M. Talleyrand being the negociator on the part of France, and what ministers understood to be its object.

Lord *Castlereagh* assured the House, that this country had no reason to view the former treaty with any jealousy. It had been communicated to the ministers of Great Britain before it was concluded; but although it was framed in the spirit of good faith, yet its form prevented this country from acceding to it. No hostility was threatened to any state, its object was confined solely to the contracting parties, and breathed the pure spirit of the Christian religion. It was certainly couched in language unusual in diplomatic documents, but it should be regarded solely as a pledge of peace.

Mr. *Brougham* observed that the noble lord had given no information with respect to the treaty said to have been concluded at Vienna in January 1815, for the purpose of forming a guarantee against Russia, or of the probable effect of that treaty.

Lord *Castlereagh* observed, that it was usual to communicate to parliament every desirable information, with regard to the proceedings of the government, and especially the treaties into which it had entered. But he appealed to the House, whether to demand information from his majesty's ministers, with respect to treaties concluded between foreign states, and to which this country was no party, with regard to the opinion or calculation of ministers as to the probable effect of such treaties, was not to press the spirit of inquiry beyond its legitimate limits.

Mr. *Tierney* expressed his incapacity to account for the soreness betrayed by the noble lord. His hon. and learned friend had merely asked, whether the noble lord knew that a certain treaty had been concluded at Vienna. It was open to the noble lord to say simply aye or no. But instead of this simple reply, the noble lord entered into observations, refusing to answer either aye or no, and thus leaving it to be understood that he knew of the existence of the treaty alluded to, although he did not think proper to avow it. He hoped, however, that the noble lord would be disposed to give some explanation upon the subject by to-morrow.

HOUSE OF COMMONS.

Friday, February 9.

Insolvent Debtors.] Mr. *Hart Davis* presented a petition from the merchants and traders of Bristol, praying the repeal of two acts of parliament—the 53d of the King, for the relief of insolvent debtors, and an act, passed in the succeeding session, to amend and explain the former act. He expressed himself satisfied that these measures had a tendency to increase the evils they were intended to correct; and hoped, that the subject would be taken up in such a way, that while the benevolent views of the legislature were carried into effect with respect to unfortunate debtors, effectual provision would be made for the protection of the honest creditor.—The petition was read, and ordered to lie on the table.

Convention of Paris.] Mr. *Bennet* rose, pursuant to notice, to move, that a copy of the convention of Paris, should be laid before the House, to which motion he understood, no objection would be made. But there were other papers connected with this convention, the production of which he required; namely, copies of the letter of marshal Ney, prince of Moskwa, to the ministers of the four allied powers; the letter of madame Ney to the duke of Wellington, and also the letters of Messrs. Berryer and Dupin to the British embassador at Paris.

Lord *Castlereagh* said, that he had no objection to the production of a copy of the convention, and he believed, that the official communication which the earl of Liverpool had obtained the Prince Regent's permission to make to parliament, would contain all the information the hon. member desired to have laid before the House. With what view the hon. member required the papers to which he referred, he was pretty well aware, and without entering into the question at present, he could not hesitate to express his confidence, that he would succeed in convincing even the hon. member himself, that in a certain transaction no breach of faith was in the slightest degree imputable, either to the British or to the French government.

Mr. *Bennet* expressed a hope, that all the papers to which he had adverted, would be laid before the House.

Lord *Castlereagh* observed, that he thought the official communication would contain all the papers the hon. member required; if, however, it did not, the hon. member might point out what he farther wanted, and that should be supplied.

The motion was then agreed to.

Mr. Brougham's Motion for the Christian Treaty between Russia, Austria, and Prussia.] Mr. *Brougham* rose, pursuant to notice, to move for the production of a copy of the treaty entered into between Austria, Russia, and Prussia, and concluded at Paris, on the 26th of September 1815. He was not, he said, aware, that there was any objection to his motion, or that the noble lord was inclined to oppose it, and he was not, therefore, disposed to say any thing on this occasion likely to anticipate the general and large discussion fixed for Monday se'nnight. For he was quite aware of the propriety and advantage of taking at once a full view of the whole case, which was in that debate to be brought under the consideration of the House. But in consequence of what had fallen from the noble lord yesterday, he thought it necessary to say a word or two upon the subject to which his motion referred, in defence of the line of conduct which he felt it his duty to pursue. At the same time, he was extremely unwilling to offer any observation at all tending to compel or induce the noble lord to make any disclosure detrimental to the public service. But really the treaty to which he referred, and the published copy of which the noble lord admitted to be correct, was of such an extraordinary character, that he could not reconcile it to his notions of policy or consistency to pass it over in silence. It was, in the first instance, material to inquire, whether this treaty between three great powers, which were our allies, and to which this country was no party, could be regarded in conformity with good faith towards us—whether the obligations to which the contracting parties pledged themselves, and the effect to which those obligations were likely to lead, interfered, or threatened in any degree to interfere, with the treaty entered into between those parties and this country. It certainly was rather singular, that after having concluded a treaty with this country, which pledged all the contracting parties to an identity of interest and object, those three powers should enter into a treaty for a separate object, to which this country was no party. But the noble lord said, that this exception was merely owing to a matter of form, the treaty under consideration having been signed by the sovereigns themselves. Was it not, however, extraordinary, that such a departure from the usual course should have taken place—that after having negociated, concluded, and signed all the former treaties, through the medium of diplomatic agents, the treaty under consideration should have had the signature of the sovereigns themselves? He called upon the noble lord to explain the cause of this deviation. If the treaty was framed in that spirit of frankness and candour and amity, which we were told characterised, and which we had a right to expect from states which owed us such important obligations, he could not imagine the cause for any deviation from the customary practice of negociation, or that immediately upon the back of a solemn treaty with us, the sovereigns alluded to should have entered into an engagement, to which we were no party. In this engagement there certainly were some stipulations which called for animadversion. He could not, he must say (and he meant not to speak offensively) sufficiently account for the sort of simplicity which the noble lord betrayed, in stating that he saw nothing extraordinary in the nature of the treaty referred to, and that truly it proceeded alone from the spirit of benevolence and religion. These three great powers professed to pledge themselves to the maintenance of Christian principles. But where was the necessity for such a pledge? No suspicion was expressed of their adherence to Christianity, which could require any such declaration or bond as their treaty contained. For the principles which this treaty professed to maintain he felt as much regard and reverence as any man. He recognised in those principles all that was essential to good government and human happiness. But what were the principles to which those sovereigns really proclaimed their attachment? or what the cause which could be said to call for that proclamation? There was nothing in their peculiar situation or character, there was nothing in the circumstances of the times, that at all required that those sovereigns should put themselves ostentatiously forward as the defenders of that Christianity which no danger menaced, or of those principles, which all good men must be ready to sustain. These sovereigns were not suspected of any inclination to depart from christianity. There was no charge or impeachment preferred against their character or views, which called upon them either with a view to their own vindication, or to what was passing in the world, to enter into a treaty, containing stipulations such as had seldom been heard of from the earliest times, such at least as had not been published since the time of the Crusades, such certainly as had no parallel in modern Europe. For the principles avowed in this treaty he repeated his deference; they were material to the happiness of all states and kingdoms, yet he saw no necessity for any public pledge upon the subject, either from the sovereigns alluded to, or from any other christian prince. But notwithstanding the principles which this treaty declared a disposition to hold sacred, there was something so singular in its language as to call for observation, and to warrant no little jealousy. After professing at the outset a resolution in the administration of their respective states, and in their relations with every other government, to take as their sole guide the precepts of their holy religion, namely, the precepts of justice, christian charity, and peace, the contracting parties pledge themselves in the very first article of the treaty, "on all occasions, and in all places, to lend each other aid and assistance," and that they will lead their subjects and armies in the same spirit of fraternity with which they are animated, to protect religion, peace, and justice. Was there nothing to excite suspicion in such language? When sovereigns spoke of leading armies to protect religion, peace, and justice, was there no ground for alarm? He feared that there was much reason to apprehend the consequences of this treaty, notwithstanding the sacred principles which it professed to revere. He feared that something more was meant than what immediately met the eye. He could not think that this treaty referred to objects wholly spiritual. Why were they to engage to lead their armies to support the Christian religion, when no power had menaced it? Such a treaty appeared to him very extraordinary, when it was remembered, that but a few weeks before the parties to it had concluded, not only a treaty of peace among themselves, but one which was to secure the repose of all Europe. He always thought there was something suspicious in what a French writer had called "les abouchemens des rois." When crowned heads met, the result of their united councils was not always favourable to the interests of humanity. It was not the first time that Austria, Russia, and Prussia, had laid their heads together. On a former occasion, after professing vast regard for truth, religion, and justice, they had taken a course which had brought much misery on their own subjects, for whose welfare they affected the greatest concern, but they had made a war against an unoffending country, which had found little reason to felicitate themselves on finding their conquerors pre-eminently distinguished by those feelings which Christianity should inspire. The war against Poland, and the subsequent partition of that devoted country, had been prefaced by language very similar to that which this treaty contained, and the proclamation of the empress Catherine which wound up that fatal tragedy (for fatal that unprincipled partition had proved, and fatal it would prove to the peace of Europe till justice was rendered), had almost the same words. In her proclamation, dated Warsaw, the language of the treaty, or something very like it, might be found. In the treaty, the sovereigns call upon their subjects to worship no other sovereign than him to whom alone power really belongs, because in him alone are found all the treasures of love, science, and infinite wisdom; that is to say, God our Divine Saviour, the word of the most high, the word of life. The proclamation of the empress of Russia, to which he had alluded, after she had assisted in parcelling out Poland, after shedding seas of blood from the veins of her own subjects, and after sanctioning a massacre of 30,000 Poles, and driving out of Warsaw 30,000 more to be hunted down by a brutal soldiery, contained expressions which represented the empress to feel for these same Poles all the solicitude of a tender mother, who was only desirous of witnessing the happiness of her children. From her previous conduct, it should seem that she did not fail to chasten those whom she loved. She ordered a public thanksgiving to God, for the blessings poured down on the Poles (among which, no doubt, she included the massacre of 30,000 of their number); and ended by calling upon them "to swear to serve her imperial majesty faithfully and loyally, to rally round her throne, to shed the last drop of their blood, the little remaining blood which her tender love had left, in defence of her person, "as they would answer for it to God and his terrible judgment;" and as a confirmation of the profession made by this oath, they were enjoined "to kiss the holy word and cross of their Saviour." Now, he would only entreat the House to consider the parity there was between the language of the present treaty, and that which was profaned on that memorable occasion, and to reflect how unnecessary, how uncalled for, such a treaty was at the present moment, and they would then be able to judge of the unparalleled simplicity of the noble lord, who could not see that what meant so much formerly, might mean something now, and who believed that this treaty was one in which no other power of Europe could have the least interest. Certainly there were not a few suspicions created in his mind by the treaty. From the frequent use which was here made of the name of religion, so often abused, he was led to apprehend that some sort of crusade was in contemplation. It could not be against the Poles, for they, unhappily, were in such a situation that nothing could be done that would make the fate of their country more deplorable than it was already, but it might be against some other power who could not by possibility become a party to this treaty—some nation ranging itself under other banners than those of the cross. With such feelings and such sentiments, he should not think he discharged his duty to that great discussion which was approaching, if he did not require from the noble lord some explanation of the treaty in question, and if he did not address the Crown for a copy of that document to be laid upon their table. He should therefore conclude by moving,

"That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions that there be laid before this House, the copy of a treaty between the sovereigns of Austria, Russia, and Prussia, signed at Paris, 26th September, 1815."*

Lord *Castlereagh* said, that as he had admitted, on a former evening, the authenticity of the document moved for, in such a way as would fully answer all the purposes of discussion, he trusted the House would not consider him as narrowing the grounds of that discussion, if, in the exercise of what he conceived to be his duty, he should resist the production of it on the present occasion. In adopting that course, he was actuated by no apprehensions, lest its production should lead to any relaxation of that close and intimate alliance which so happily subsisted between this country and its allies, for our union rested upon too solid grounds to be affected by any such transaction. On former occasions, there certainly had been many doubts entertained and expressed upon the possibility of forming that steady co-operation of all the powers of Europe, which it was necessary to accomplish, in order successfully to oppose the common enemy against whom we then had to contend for our rights and liberties; but those prophecies had all proved utterly fallacious, and he had little doubt that the prophecies which had been so liberally indulged

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* The following is a Copy of the Treaty moved for by Mr. Brougham:

Convention concluded at Paris on the 26th of September 1815, between the Emperor of Russia, the Emperor of Austria, and the King of Prussia.

"In the name of the Most Holy and Indivisible Trinity,

"Their majesties, the emperor of Austria, the king of Prussia, and the emperor of Russia, having—in consequence of the great events which have marked the course of the three last years in Europe, and especially of the blessings which it has pleased Divine Providence to shower down upon those states which place their confidence and their hope on it alone—acquired the intimate conviction of the necessity of founding the conduct to be observed by the powers, in their reciprocal relations, upon the sublime truths which the holy religion of our Saviour teaches;

"They solemnly declare, that the present act has no other object than to publish in the face of the whole world their fixed resolution, both in the administration of their respective states, and in their political relations with every other government, to take for their sole guide the precepts of that holy religion, namely, the precepts of justice, Christian charity, and peace, which, far from being applicable only to private concerns, must have an immediate influence on the councils of princes, and guide all their steps, as being the only means of consolidating human institutions, and remedying their imperfections.

"In consequence their majesties have agreed on the following articles:—

"Art. 1. Conformably to the words of the holy Scriptures, which command all men to consider each other as brethren, the three contracting monarchs will remain united by the bonds of a true and indissoluble fraternity, and considering each other as fellow-countrymen, they will, on all occasions, and in all places, lend each other aid and assistance, and regarding themselves towards their subjects and armies as fathers of familes, they will lead them in the same spirit of fraternity with which they are animated, to protect religion, peace, and justice.

"2. In consequence, the sole principle in force, whether between the said governments, or between their subjects, shall be, that of doing each other reciprocal service, and of testifying by unalterable good-will, the mutual affection with which they ought in that evening, respecting the present treaty, would be equally unaccomplished. It was not likely, indeed, that the sovereigns who had conducted that great and arduous struggle through all its difficulties and dangers, without any partial and narrow views towards their own personal interests, how strong soever those interests in some cases might be, would now, at its conclusion, diverge from the straight line of their duty to Europe, and, after having risen superior to every imputation that had been cast upon them, combine for such a purpose as had been intimated by the hon. member. If nothing could be found in the whole course of those transactions which questioned their good faith and sincerity, he did not think it quite fair in the hon. member, to go back to the ancient history of Poland to find proofs that the present sovereigns of Russia, Austria, and Prussia, would belie that exalted character which they had acquired, and which would redound to their honour to the latest posterity; or that they would tear down, by their own petty differences, that great system of European policy, which had been the fruit of their labours. With respect to other parts of the hon. member's speech, he must, in the first instance, avow his dissent from the sentiment which he had expressed, that he was jealous of those *abouchemens des rois*, as he termed them. He had no hesitation in saying, that if the allied sovereigns had not been in a situation to concert together, in his conscience

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to be animated, to consider themselves all as members of one and the same christian nation; the three allied princes looking on themselves as merely delegated by Providence to govern three branches of the one family, namely Austria, Prussia, and Russia: thus confessing, that the Christian nation, of which they and their people form a part has in reality no other sovereign than Him to whom alone power really belongs, because in Him alone are found all the treasures of love, science, and infinite wisdom; that is to say, God, our Divine Saviour, the word of the Most High, the Word of Life. Their majesties consequently recommend to their people, with the most tender solicitude, as the sole means of enjoying that peace which arises from a good conscience, and which alone is durable, to strengthen themselves every day more and more in the principles and exercise of the duties which the Divine Saviour has taught to mankind.

"3. All the powers who shall choose solemnly to avow the sacred principles which have dictated the present act, and shall acknowledge how important it is for the happiness of nations, too long agitated, that those truths should henceforth exercise over the destinies of mankind all the influence which belongs to them, will be received with equal ardour and affection into this holy alliance. Done in triplicate, and signed at Paris the year of Grace, 1815 14-26th September.

(L. S.) Francis.
(L. S.) Frederic William.
(L. S.) Alexander.

Conformable to the original,
(Signed) Alexander.

Done at St. Petersburgh, the day of the birth of our Saviour, the 25th of December, 1815."

The following is the Manifesto published by the emperor of Russia on Christmas day, 1815.

"By the grace of God, we Alexander 1, emperor and autocrat of all the Russias, &c. hereby make known, as we have seen from experience, and from the unhappy consequences that have resulted for the whole world, that the course of the political relations in Europe, between the powers, has not been founded on those true principles upon which the wisdom of God, in his revelations, has founded the peace and prosperity of nations; we have consequently, in conjunction with their majesties the emperor of Austria, Francis 1, and the king of Prussia, Frederic William, proceeded to form an alliance between us (to which the other Christian powers are invited to accede), in which we reciprocally engage both between ourselves, and in respect of our subjects, to adopt as the sole means to attain this end, the principle drawn from the words and doctrine of our Saviour Jesus Christ, who preaches to live not in enmity and hatred, but in peace and love. We hope and implore the blessing of the Most High. May this sacred union be confirmed between all the powers, for their general good; and (deterred by the union of all the rest) may no one dare to fall off from it! We accordingly subjoin a copy of this union, ordering it to be made generally known and read in all the churches.—St. Petersburgh, on the day of the birth of our Saviour, 25th December, 1815.

The original is signed by his imperial majesty's own hand, Alexander."

he believed that the result of the war would have been very different from what it now was. He attributed the great distinguishing feature of the confederacy to that very particular circumstance which the hon. member viewed with so much jealousy. If the councils of the sovereigns had not been brought together—if they had not been in a condition to act at the moment of any crisis occurring—if they had been forced to look at their particular interests through that cloud of prejudice and uncertainty which must always intervene when events are seen at a distance, without the opportunity of exercising an immediate and local judgment, he was sure the councils of Europe would have been disturbed to such an extent by doubts and misapprehensions, that those great exertions, whose successful issue was now before the world, would never have been made. He regarded, therefore, that precise circumstance as the hinge and cardinal feature to which might be ascribed the prosperous result of their combined efforts.—With respect to the treaty in question, he was surprised to hear the hon. member reason upon it as a document, concluded between the three powers after the engagements entered into by them with this country, and therefore calculated to disturb those engagements. In fact, that treaty was not signed subsequently to those engagements, but two months antecedently, and it was no small indication of their integrity and good faith, that even at a period when they were under considerable difficulties and embarrassments, though not of a nature likely to shake their general union, they should have exhibited that unequivocal proof, that they were not confederated together for their own particular interests, but for the general interests and welfare of the world. The hon. gentleman seemed to think that it was inconsistent with the nature of the engagements into which all the allied powers had mutually entered, for, one or more of those powers to sign a treaty separately among themselves; but in that opinion he was certainly wrong for even supposing that the treaty in question had been signed to our exclusion, they were perfectly entitled to do so, according to the stipulations of the treaty of Chaumont, in which the liberty was expressly reserved to all the different powers, of signing any treaties with each other which did not contradict the general objects of the alliance. He was perfectly satisfied, however, that none of those powers ever signed any separate treaty which contradicted either the letter or the spirit of the engagements then entered into.—Now, as to the mode in which the treaty had been signed. He did not mean to contend, if three sovereigns who had entered into close and intimate engagements with this nation of a general nature, were to conclude a treaty arising in some measure out of that common union without any communication with this country upon the subject, that though it could not be fairly construed as a breach of any contract, yet certainly it might be regarded as a proof of want of confidence and as indicating a decay of that cordial union which ought to subsist between all the parties of one general league. But he could inform the hon. gentleman, that the treaty for a copy of which he had moved the present address, was communicated to him by the emperor of Russia: his imperial majesty had shown him a draft of the instrument, he believed before it was communicated to the other sovereigns, and after the signing of it, they addressed a joint letter to his royal highness the Prince Regent, stating the grounds upon which the treaty had been concluded and anxiously desiring his royal highness's accession to it. In reply to this communication, his royal highness expressed his sincere satisfaction at the nature of the treaty, and his assurance that the Britsh government would not be the one in Europe least disposed to act up to the principles contained in it. With respect to the treaty being signed by the sovereigns themselves, without the intervention of any minister, upon which the hon. gentleman had dwelt considerably he could assure him, that though the forms in this country did not admit such a procedure, and hence we had not become a party to it, yet it was by no means an uncommon transaction on the Continent. The hon. member seemed to suppose that the treaty in question had some reference to other projects, and that it was to be considered only as the forerunner of some undefined crusade against some nation or other who could not become a party to its stipulations. He could assure him, that his own persuasion of the understanding which subsisted between all the powers who signed that treaty was very different, and that no such intention existed in the breast of any of those sovereigns. It would, not, in his opinion, be too much to infer such a conclusion from the character and conduct of the sovereigns themselves. Whether the instrument was necessary or not, was another question, but he must say, that if that spirit which it breathed was one which sincerely animated the emperor of Russia, and for himself he could not entertain a doubt upon the subject, there was nothing upon which he should more sincerely congratulate Europe and the world. If the emperor of Russia chose to found his glory upon such a basis posterity would do justice to the noble determination. Having already done so much for mankind by his arms, to what better purpose could he apply his great influence, in the councils of the sovereigns of Europe than to secure for it a long and beneficial peace? It was the only glory which was now left him to acquire, after the great personal glory which he had already acquired. With respect to the document itself, he opposed its production upon a parliamentary ground as it was contrary to the practice of parliament to call for the production of treaties to which this country was no party; the reasons why we did not accede to it, he had also explained. He must say, however, that he never recollected any member of that House to have made a more unnecessary motion, or one more dangerous, if the confederacy could be shaken by such an attempt to lower and degrade the sovereigns of Europe, by unfounded imputations, and groundles suspicions.

Mr. *Bennet* did not wish to enter into a discussion of the policy of our foreign measures on the present occasion, as an opportunity would occur for making his observations, when the treaties and conventions already presented were taken into consideration. That discussion would disclose to the country the disgraceful transactions that had distinguished the late history of the great powers of Europe; their tyrannical conduct; their contempt for justice, faith, and moderation. We had evidence before us of the arrogant tone which the noble lord opposite assumed, of his haughty dictation in the general politics of the Continent. We had a letter of his to prince Hardenburg, in which he seemed to consider independent states at his disposal, and decided their fates according to his caprice. One state was to be punished, another was to be weakened, a third was to be divided, and part of its territories bestowed upon its more fortunate neighbour. The noble lord had that night eulogised the spirit of the alliance, and descanted upon the moderation of their views, and their constant desire to promote the peace and happiness of Europe. The noble lord had defended the language of the treaty that was moved for, and said that it expressed the real nature of the views and wishes of the sovereigns who signed it. The hon. member said he was jealous of any professions made by these imperial and royal personages, as he always suspected that such professions of religion and justice were employed as a disguise for real injustice, oppression, and bad faith. Their language was mere cant, and they uttered hypocritical declarations to delude the people, in order that they might overturn their liberties. The meetings of these great sovereigns of late appeared to him to indicate nothing else but a conspiracy against the freedom and the rights of their subjects—an infamous conspiracy of the few against the happiness of the many. It should be recollected, as corroborative of this opinion, that of the sovereigns who signed this treaty with such holy professions, two were at the head of the great military states of Europe, where public opinion was never heard—where the people were completely enslaved, and could not venture, under the weight of armed force, to vent their wishes or complaints. He was sensible that, in the dominions of the third sovereign, public opinion was now of some consequence, and was daily acquiring strength. It would soon, he hoped, be powerful enough to control and direct the measures of the Prussian government, and to establish in the Prussian states a system of constitutional freedom. Of such a favourable change in the overgrown empire of Russia no such hope could be entertained, while the increasing extent of her dominions, and the immense resourses of aggression supplied by her military population, rendered her a just subject of alarm and jealousy. In a proclamation published at Petersburgh, which begins with a pompous parade of religion, which proceeds with swelling phrases, " on the unconquerable spirit of the Russian empire," and describes the late glorious successes of the Russian arms, the people were told that the dominions of the emperor were already large enough, and that his policy required no increase. It was necessary, however, to add Poland by way of rounding this mighty empire; and the addition of that extensive kingdom was defended upon the grounds of political justice and expediency. The aspect of this northern power, that had one foot on the Frozen sea, while the other was extended nearly to the Rhine, was now the most threatening and formidable to the liberties of mankind. Nothing could be dreaded from France, except as a result of the negociations of the noble lord, who resisted the present motion for the production of papers necessary to expose his diplomatic conduct. The hon. member concluded by saying that he could see no grounds for opposing the present motion. The treaty in question was strictly connected with the foreign policy of administration, which was to be discussed on an early day. It had been sent to this country with a letter to the Prince Regent, and although not signed by him, it had become the subject of communication between his ministers and the powers with whom it originated. The only motive that the noble lord could have for refusing it was, that he was ashamed of it and of our allies.

Mr. *Brougham* in reply observed, that the only plausible objection which the noble lord had urged against the production of the treaty was, that it did not assume a parliamentary shape. Did the noble lord mean to assert that no treaty was ever laid before the House to which Great Britain had not been a party? If he mistook not, the very first of the seventy treaties which the noble lord had recently presented, was one to which Great Britain had not been a party; and of this he was assured, that within the last ten years copies had been submitted to parliament of above a dozen treaties to which Great Britain had not been a party.

The House then divided:

For the motion............. 30
Against it 104
Majority .... ——74

List of the Minority.

Brand, hon. T.
Birch, Jos.
Baring, A.
Campbell, hon. J.
Calvert, Charles
Duncannon, visc.
Gordon, R.
Fitzgerald, lord W.
Horner, F.
Heron, sir Robert
Heathcote, sir G.
Lemon, sir W.
Lambton, John
Mackintosh, Sir J.
Monck, sir C.
Martin, John
Matthew, hon. gen.
Markham, admiral
Nugent, lord
North, Dudley
Ossulston, lord
Phillips, George
Powlett, hon. W. V.
Rickards, R.
Ridley, sir M. W.
Russell, lord G. W.
Russell, lord John
Russell, R. G.
Tierney, rt. hon. G.
Smyth, John H.

TELLERS.
Henry Brougham.
Hon. Henry Bennet.

Mr. *Brougham* next moved, "That an humble Address be presented to his royal highness the Prince Regent, That he will be graciously pleased to give directions that there be laid before this House, copy of a treaty between Austria, France and Great Britain, signed at Vienna, January 1815."

Lord *Castlereagh* stated his objections to the production of this treaty. Nothing, he said, could be more detrimental to the public service than to produce every treaty entered into by foreign powers. They might make whatever treaties they pleased; they might enter into whatever engagements their policy dictated, or their interests demanded, without subjecting their conduct to the scrutiny of the members of that House. If this country sanctioned those treaties, and became a party to their fulfilment, every information concerning them might be properly demanded. But there might even be treaties to which this country became a party, which might be conditional in their form — which might be contingent in their effect — and which, being intended to be carried into execution only in certain conjunctures, were not necessarily to be laid before parliament till the combination of circumstances happened when their provisions were to be fulfilled. If a treaty was entered into, and signed by the British government in the contemplation of certain events, and if parliament were never called upon to support the executive in making good its engagements, from that event never having occurred, the noble lord saw no imperative reasons for laying it before the House. It might be considered in the nature of an unfinished transaction, a mere historical fact, that could have no influence on our actual affairs. The treaty now alluded to, he contended was in no degree necessary to the discussion on a future day, and he trusted the House would not sanction its production upon such light grounds as those suggested by the hon. gentleman.

Mr. *Brougham* said, it was extremely painful to him to press himself so often on the attention of the House, but after hearing the principle with which the noble lord—the accredited minister of the Crown—concluded his statement, he felt that he should neglect his duty to the House and the country, if he did not enter his decided protest against its adoption. Good God! when it was admitted that this country had actually joined in the treaty; when it was no longer a question, as in the last case, referring to others, but when it immediately affected ourselves; when the noble lord had avowedly put his own hand to a treaty between Great Britain, France, and Austria, to the exclusion of Russia, and when parliament were about to be immediately called upon to discuss the relations of Europe, were they to be prevented from having access to a document which might show that all the stability of alliance among the European states, on which the noble lord piqued himself (although he might much more justly pique himself on the enormous expense to this country at which the attempt to obtain it had been purchased), must speedily crumble into dust! But three little months before that treaty was signed, which, whether or not it was now produced he cared not—[Hear, hear! from the ministerial benches.] Yes, he repeated, that he cared not now whether or not the noble lord consented to the production of the treaty; he had admitted its existence, and enough had been said about it to make the House curious to see what it was that could be contained in a treaty signed by France, signed by Great Britain, signed by Austria, signed by all the great states but Russia, that "most faithful ally," that power with whom we were "on such admirable terms," who "had no wish distinct from ours, no desire in which we did not participate!" The noble lord might perhaps have the means of contradicting him, but he had been informed that in consequence of the conclusion of this treaty, which was by no means of a spiritual nature, but very secular in its character, the emperor of Russia had demanded from the French government the dismissal of that minister by whom it was executed on the part of France, and that Talleyrand was dismissed accordingly. [An expression of dissent from the ministerial benches.] Perhaps this statement was unfounded. The noble lord would have the means of denying it. He could not sit still and hear it asserted that the House ought to be prevented from obtaining an accurate knowledge of the contents of a treaty between three great powers, to the exclusion of Russia, on the eve of a discussion, embracing all the political relations of Europe.

The question being loudly called for, strangers were ordered to withdraw, and the gallery was almost cleared, when

General *Mathew* rose, and expressed his astonishment, that the noble lord should treat the House in so contemptuous a manner. The document was one of great importance, and yet the noble lord permitted the House to proceed to a division, without stating any reason for opposing its production.

Mr. *Baring* observed, that the noble lord had spoken much of the fidelity and good faith exemplified by Russia and Prussia, towards the other combined powers; but now it appeared, that a treaty had been signed, to which those two principal members of the combination were strangers. The noble lord, after stating the anxious policy of this country to keep together the great alliance, must admit, that if such a treaty were in existence, he was most particularly instrumental in breaking it up. If he had signed a partial treaty between England, Austria, and France, the praise he took to himself for keeping the alliance together, must fall to the ground. Now, when the noble lord had given notice of the discussion of seventy treaties, in the course of a few days, and refused to concede this document, on which his diplomatic fame principally rested; nay, when he would not even acknowledge its existence; the House and the country might well entertain a suspicion of the candour and fairness with which he meant to meet the approaching discussion.

Lord *Castlereagh* now saw that the object of the hon. gentlemen on the other side of the House was, to excite an idea in parliament and in the country, that disunion prevailed among our allies, and that no reliance could be placed in the continuance of the state of things that had been established by the peace. This object they pursued with a zeal worthy of a better cause; but he hoped they would not succeed. The observations which he would now make, he hoped, would relieve the nation from any alarm on this subject, if unhappily any should be raised. This treaty, which was made in January 1815, and which was said to manifest such disunion and jealousy among the allies, was followed, not three months afterwards, by declarations and engagements, which evinced the most cordial concert and cooperation. Suppose there had existed some difficulties in the way of a complete adjustment of claims in the beginning of the year, the declarations of the 13th and 25th of March were sufficient to show that for all great purposes the spirit of strict alliance still pervaded the great powers of Europe. The hon. gentlemen might therefore quiet their alarms, and console themselves with the assurance, that if, as they maintained, there existed disunion at one time, all obstacles to cordial reconciliation and reciprocal confidence had been subsequently removed. The spirit which was supposed to dictate the treaty now moved for, had produced no injurious effects; it had never influenced the conduct of the allies for a moment. That treaty, therefore, as it did not appear to have been acted upon at all, could have no effect on the ensuing discussion. It was merely an historical fact, and the noble lord said, gentlemen might as well come to his office, and demand every paper and document that it contained, as require the production of the treaty in question. There could be no parliamentary proceeding established upon it, and no parliamentary ground had been laid for asking it.

Mr. *Horner* said, there could now be no doubt of the "historical fact," as the noble lord called it, that the noble lord had signed with the ministers of France and Austria, in the month of January 1815, a treaty, certainly defensive against Russia, if not in some points offensive against that power. It might be, and no doubt it was, a proper foresight on the part of the noble lord, to take on that occasion precautionary measures with France and Austria against Russia. But what reason could now operate to induce the noble lord to withhold the knowledge of that treaty from the House, except the effect which it might have on the argument in favour of the late arrangements, which would, no doubt, be grounded on their supposed stability? Doubtless, one of the main grounds on which the noble lord would call for the approbation of parliament, would be confidence in the cordiality of Russia. Now, in order to prove whether or not Russia was entitled to this confidence; whether or not she cherished intentions dangerous to the repose of Europe; it would be very material to prove, if the fact was so, that so lately as January, 1815, the noble lord had thought it necessary to adopt measures of precaution against her. Seeing no reason for keeping back this treaty, for he had no doubt of its existence, he should vote for the motion of his hon. and learned friend.

Mr. *Tierney* maintained, that the noble lord had no foundation for charging his hon. and learned friend, and those who supported him, with wishing to show that there had been a dissention among the allied powers. But if such a want of confidence in each other had actually existed, he was perfectly ready to admit that he was one of those who wished that the nature of it should be exhibited. The noble lord contended that no differences existed among the allied powers in January;—"For see" he exclaimed, "how they united in the subsequent March!" No doubt they did all unite against their common enemy, Buonaparté. But, what he wanted to know was, how the allies felt in relation to each other, when their common enemy was supposed to be no more. In January 1815, Buonaparté was supposed to be safely disposed of. What were then their mutual feelings? They were now again in the same situation. Peace was restored, and Buonaparté was secured. What he wanted to know was, whether jealousies did or did not exist among them? If by the production of the treaty for which his hon. and learned friend had moved, it could be proved that a few months after the first overthrow of the common enemy, the allied powers were at variance, was it unnatural to infer that similar jealousies might exist at present, and would not that inference have an effect on the opinion of parliament as to the permanency of the tranquillity of Europe? The noble lord did not deny that a treaty was actually signed by France and Austria, without the participation of Russia, and he believed of Prussia. The noble lord did not deny, that to this treaty he was himself a contracting party. Under these circumstances, the House ought, without delay, to be put in possession of the document. But, said the noble lord, it is merely a matter of history. Yes, and like other matter of history, it was necessary that it should be known, because the knowledge of it bore on other times. If the noble lord could show that the causes which gave birth to the treaty of January 1815 no longer existed, it would be well. Otherwise it would be impossible for him to believe, that there was a cordial community of feeling among the allies. When he saw that the noble lord was unwilling to produce the document, he became morally certain that the production of it would disclose something calculated to shake the opinion of parliament as to the probable durability of a union of sentiment among the allied powers. The noble lord had censured his hon. and learned friend for suspecting treaties to exist, and then making motions with respect to them. If all his hon. and learned friend's suspicions were as well founded as the present had shown itself to be, his conjectures would prove to be tolerably accurate. At a time when parliament was about to enter into a discussion of the greatest importance—a discussion of all the political transactions of the last two years, the noble lord excluded them from a document which would throw the greatest light on the subject. There was not a dispassionate man in the country who must not believe that something was kept back which if it were brought forward would materially affect the public opinion.

The House then divided:

For the motion............25
Against it 92
Majority —67

List of the Minority.

Brougham, H
Bennet, hon. H.
Baring, Alex.
Brand, hon. T.
Calvert, C.
Horner, F.
Heron, sir R.
Heathcote, sir G.
Lambton, J. G.
Monck, sir C.
Martin, John
Mathew, Montague
Markham, admiral
Nugent, lord
North, D.
Ossulston, lord
Ponsonby, rt. hon. G.
Powlett, hon. W. V.
Preston, R.
Phillips, Geo.
Russell, Greenhill
Rickards, R.
Tierney, rt. hon. G.
Smith, William
Western, C. C.

TELLERS.

Sir M. W. Ridley.
R. Gordon.

HOUSE OF LORDS.

Monday, February 12.

LORD KINNAIRD.] Lord *Holland*, before the House proceeded to any other business, was anxious to call their lordships attention to a point which, though he did not mean to make it the foundation of any parliamentary proceeding, he thought it not improper to state in his place. Their lordships had been in the habit, from courtesy to each other, sometimes to allow statements to be made respecting matters concerning themselves, though not strictly of that description which could form proper subjects for parliamentary investigation; and he trusted it would not be deemed improper to extend the same indulgence to the concerns of other noble lords who had not a seat in that House, and could not therefore state their case there, though it might be well deserving of being publicly noticed. It was notorious that a noble friend of his, lord Kinnaird, had been ordered to quit France by the French government; and if his noble friend had had the advantage of a seat in that House, he himself would no doubt have stated all the circumstances of his case, and no one could make a more clear and able statement than his noble friend. But as his noble friend could not appear there to speak for himself, he thought that none could more properly undertake to set the matter in its true light, and state the whole circumstances of the transaction, than some one of those noble lords who were members of administration. He would therefore ask the noble earl opposite, whether any communications on this subject had passed between our government or our ministers at Paris and the French government? Indeed, he rather believed that some communications on the subject had passed; and if they had, he wished to ask whether the noble earl had any objection to produce those communications, and to lay them on their lordships table? If the noble earl did not think it proper to do that, then he wished to know, whether he had any objection to give a general statement of the circumstances? If he could do this, his noble friend's object would be answered, without calling for the documents, or going into any particular investigation.

The Earl of *Liverpool* said, he should be extremely glad to give the noble lord any satisfaction in his power on the topic to which he had adverted; but, sitting there, he could only look at the matter as a public question. And the view he had of the matter was this—that the British government could not, with any propriety, insist upon any explanation from the French government of a transaction which, if it had happened in their own case, the British government would not have thought itself bound to explain to any foreign government. It was quite clear, that every government had a right to send out of its territory any person who was not a born or naturalized subject of that country, without being accountable to any foreign power, or bound to give any explanations, except in as far as they might be obliged to account or explain to their own subjects. He felt this the more strongly on account of the policy with respect to aliens which had been adopted by this country for the last twenty years; for his lordship was aware that, by act of parliament, for these last twenty years, the Crown was empowered to send any alien out of the country at its own discretion. Our rule, therefore, must be, to suffer others to act as we ourselves would have insisted on acting, if the case had been our own. Now, if the British government had thought it right, in the exercise of its discretion, to send a subject of the king of France out of this country, he did not feel that he would be in the least degree bound to give any account or explanation of the matter, or of the reasons and motives of the conduct of the British government, to the French ambassador, or the French government. Indeed, if it were fitting that such a power should exist at all, it was necessary that the government should be exempt from the obligation to give any such explanation; for the whole object of it might be defeated, if the government were bound to state the grounds and causes of the measures of that description which they might think proper to adopt. He did not, therefore, see any ground for the interference of our government in this matter. And as he saw no ground for any such interference, on the same principle he could not see upon what ground parliament could interfere, or enter at all into any consideration of the subject. No proceeding, therefore, could be founded on these documents, if they were produced; and therefore he saw no ground upon which they ought to be produced. Under these circumstances, he thought himself fully warranted, and indeed called upon in duty, to refuse the production of these papers. There was no doubt as to the fact, that a man of high rank in this country, a nobleman, had been sent out of France by the French government; and it was true, that some communication on the subject had taken place between our ambassador at Paris and the French goment, prompted merely, on the part of our minister, by private feelings, and his individual opinion that the noble lord alluded to had done nothing to call for such a proceeding on the part of the French government. But it was impossible that these could be the ground of any parliamentary proceeding; and their lordships would see that, in such a state of matters, it would be extremely inconvenient to subject the government to those interrogatories, the answering of which would, in effect, lead to the same result as a parliamentary investigation. He wished it, however, to be clearly understood, that he did not mean, in the least degree, to insinuate that there existed any ground of charge against the noble lord in question. In refusing to enter into any explanation on the subject, he was actuated solely by his sense of public duty.

Lord *Holland* said, he was satisfied with the statement of the noble earl, since he understood him distinctly to say, that there was no charge whatever affecting the honour of his noble friend. By that declaration, the object of his noble friend was in a great measure answered; and he agreed in the general doctrine stated by the noble earl, on the point of interference in such cases as between one government and another, saving always any particular stipulations on the subject between different governments, and saving also the peculiar situation in which this country stood at the present moment with respect to France—a situation in which any act of the French government might be considered as an act of the British. He agreed also, that we were the less entitled to be jealous of the conduct of foreign governments in this particular, after the innovation which had been made in our constitution with respect to strangers, by the act which formed the ground-work of our policy with respect to aliens for the last twenty years; an act which he had always regarded as one of the most unfortunate innovations on our constitution that had taken place since the memory of man. But he was sensible that this was not the time to argue that question. Feeling that his noble friend was as much entitled to the courtesy of the House as if he had had a seat there, he had thought it right to call their lordships' attention to the subject, for the purpose of obtaining, what he had now succeeded in procuring—a distinct and public disclaimer of any imputation on the honour of his noble friend.

TREATIES, CONVENTIONS, &c.] Lord *King* expressed a wish to have some information respecting the pecuniary transactions with foreign powers, without which the treaties before their lordships could not be fairly and fully discussed. Respecting the Austrian Loan, he wished to know whether the noble earl had any objection to lay before the House the amount now due to this country, for interest paid upon the loan. On another topic, the sums due by the French government for prisoners of war, he asked, whether there was any objection to lay before the House the amount of the balances? There were also sums due in honour by France, for the money advanced to the royal family of that country whilst residing here, and the sums paid to the French emigrants. Respecting the former, there was some time since a proceeding indicative of an intention of repaying those advances, but nothing further had lately been said about it. With respect to the emigrants, nothing whatever had transpired of any intention to repay the sums advanced to them. Upon another subject, the fourth part of the Russian loan in Holland, which we had undertaken to liquidate, he wished for information as to the amount of the charge upon this country. We had also, it appeared, with regard to Portugal, extinguished a balance of 600,000*l.* due by that power, and agreed to make an advance of 300,000*l.* more, upon which topic there was likewise a want of information.

The Earl of *Liverpool*, with regard to the Austrian loan, said, that the noble lord could, as well as any one in the treasury, calculate the amount of interest upon the capital of 7,000,000*l.* advanced in 1796, the documents relating to it having been long since laid before parliament. With respect to prisoners of war, the motion of a noble marquis the other night for the balances due on this head by the French government had been agreed to. As to what had been stated by the noble lord respecting the sums advanced to the royal family of France, and to the emigrants, during the period of their distress and emigration, he could not agree that there was any claim on that ground upon the French government. With the feelings of that government upon the subject, he had nothing to do; he merely contended that he had no claim.

Lord *King* said, he could not calculate the amount of interest on the Austrian loan, because he was not aware what sums had been paid by Austria.

The Earl of *Liverpool* replied, none at all.

Lord *King* wished for a return, stating that fact.

The Earl of *Liverpool* did not see the necessity of it.

The Earl of *Lauderdale* contended, that it was the regular practice of Parliament to call for returns, although it was known beforehand that there must be a return of *nil;* because it was only in that way they could have the fact officially before them. He, however, thought that the noble earl was mistaken, and that some part of the interest had been paid by Austria.

The Earl of *Liverpool* expressed his readiness to agree to an account, if that were the case; and he could not undertake to say it was not so.

An account was then moved by lord King, and ordered, of any sums paid by Austria on account of the principal, interest, or sinking fund of the loan to that power.

Lord *Holland* observing, with respect to the great mass of treaties laid upon the table, that the treaty of 1814 was, it seemed, to be considered as the new basis of the arrangement of Europe, and that the treaty of Utrecht and the subsequent treaties were *functi officio*, and absolutely gone, wished to know whether any stipulation had been made to prevent the branch of the Bourbons on the throne of France or Spain from succeeding to the throne of the other branch, on the failure of direct heirs; as object which had formerly cost this country an immense expenditure of blood and treasure.

The Earl of *Liverpool* said, that there was no treaty, at least no political one, which had not been laid before parliament.

Lord *Holland* asked, was he then to understand that in the event of the death of the four princes now in succession to the throne of France, there was no stipulation whatever to prevent Ferdinand of Spain from claiming that throne as the next heir?

The Earl of *Liverpool* repeated, that there was no treaty but what had been laid before parliament.

HOUSE OF COMMONS.

Monday, February 12.

Resolutions of the Bank on Lord Liverpool's and Mr. Vansittart's Letter.] Mr. Lushington presented to the House the following

Copy of Resolutions of the Court of Directors, on the First Lord of the Treasury and the Chancellor of the Exchequer's Letter, of the 16th Jan. 1816;—and, recommendation thereof to the General Court.

At a Court of Directors at the Bank,
on Thursday the 8th Feb. 1816:

The following Letter from the First Lord of the Treasury and the Chancellor of the Exchequer, being read; viz.

"*Downing-Street*, 16*th Jan.* 1816.

"Gentlemen;—The consideration it has been our duty to give to the representations, which have reached us from various quarters, respecting the internal state of the country, has led us to conclude that it will be of the greatest importance to the public interest, to provide for the expenses of the present year with as little pressure as possible upon the money market; we think it particularly desirable to keep this object in view, in the arrangements which must take place between the public and the bank, upon the expiration of the engagements now subsisting between them, under several acts of parliament now approaching to their termination; and it appears to us probable, that the great reduction which has taken place in the amount of outstanding exchequer bills in the course of the year past, may enable the bank, without inconvenience, to afford an important accommodation to the public service, by consenting to a temporary advance on the following conditions:—1st: That the advance of 3,000,000*l.*, made without interest by virtue of the act 55th Geo. 3, c. 16, be further continued, without interest, for two years, from the 5th April 1816. 2ndly: That the advance of 1,500,000*l.* upon exchequer bills at 5 per cent. by virtue of the act 55th Geo. 3, c. 149, shall be repaid. 3dly: That the bank shall advance the sum of 6,000,000*l.* for the service of the year 1816, on exchequer bills at 4 per cent. for two years certain, from the passing of the act which shall authorize such an advance, and shall continue the same for three years longer from such period, subject to repayment upon six months notice to be given at any time between the 10th October in any year, and the 5th April following, either by the lords of the treasury to the bank, or by the bank to their lordships. We have the honour to remain, &c.

To the Governor and Deputy Governor of the Bank of England.
LIVERPOOL,
N. VANSITTART."

The governor acquainted the court, That the committee of Treasury had maturely considered the same; and recommend to the court, that the proposals contained therein be complied with.—The court agreed thereto.

COMMITTEE OF SUPPLY—FINANCIAL EXPOSITION.] The House having resolved itself into a committee of supply, and the several accounts relating to outstanding exchequer bills, and showing the amount of monies in the exchequer, and remaining to be received on the 5th of February 1816, to complete the aids granted in the last session for the service of the year 1815, being referred to the said committee,

The *Chancellor of the Exchequer* rose. He said, that before he entered into any general observations, he should, in a few words, explain the vote with which he intended to conclude. He was, in the first place, to provide for the payment of different exchequer bills outstanding, and which, in the ordinary course, should now be provided for. The first was a sum of 11 millions of exchequer bills, which remained of a sum of 12 millions and a half, voted in November 1814; also another of 4 millions and a half of exchequer bills which were now become due, and lastly, a sum of a million and a half which had usually been carried on from year to year. He should also propose to make provision for the exchequer bills outstanding on the aids of the year 1815, and amounting to 18,600,000*l.*; carrying to the amount of the ways and means of 1816, an equal sum from those of 1815, which still remained to be received. The object of this arrangement, which was similar to the practice of several years past, was to make all sums received into the exchequer applicable to the service of either year, as occasion might require.

If he were to confine himself to the object of the vote which he had to propose, it would be unnecessary for him to say more: but a wish had been expressed by many gentlemen, that on the first occasion on which a vote of supply was proposed to the House, he should make some general observations as to the probable extent of the supply, and the ways and means to meet that supply. Although the practice was unusual, it was not unreasonable or inconvenient that the House, by some general statement, should be enabled to form an opinion, by which it might regulate its judgment on the specific votes which were successively presented to it. Such a statement as he should make was, in its nature, subject to inaccuracy, and the amount of the sums which he should give might be varied by any alteration in the state of our affairs. He should, however, give a statement of the supply on such a scale, that it would be liable to no increase, and as to the present state of the country, he had no temptation to deceive the House by any flattering picture. We were now in a peculiar crisis. At the close of a long contest, in which we had struggled so successfully for our own honour and safety, and for the honour and liberty of Europe, in which we had added so largely to our naval and military glory, we could not immediately sit down and repose ourselves, as if we had enjoyed uninterrupted peace. But he should show by reference to facts and documents, which would soon be before the House in an official shape, that our resources were as entire as could be expected by the most sanguine, and that if we did not immediately enjoy all the benefits which might be expected from the opening of foreign ports to our commerce, it was only necessary to exert a small portion of that firmness and perseverance, which had been so often recommended to the House by his predecessors and himself, and which had never been recommended in vain, to bear the nation triumphantly through all its difficulties.

The statement which he should make, would naturally divide itself into two branches. The first was the general state of the finances at the commencement of the present year, together with his opinion as to the causes and probable remedies of our present difficulties. The next branch was the amount of the supply, and the ways and means to meet it, which would be proposed in a more advanced period of the session. He should first give a comparative statement of the revenue of the last compared with that of the preceding year, which would throw some light on our present situation, and the probable prospect for the future. A right hon. gentleman had expressed doubts whether the general statement of the produce of the last year's revenue, if minutely examined, would be as favourable as it at first appeared to be. He should therefore give some of the principal heads, comparing the produce of the last with that of the preceding year.

The produce of the customs in the year ending Jan. 5, 1815, was 11,059,000*l.*; that of the year ending Jan 5, 1816, was 10,487,000*l.* It was however, to be remembered, that in the latter sum was not included the amount of the war duty on tonnage and exported British goods which had usually produced between 6 and 700,000*l.*, which if added would raise this year above the preceding, which had exceeded all former years. The excise presented a still more favourable result. The produce of the year 1814, was 25,145,000*l.*; that of 1815, was 26,562,000*l.* being an increase of 1,417,000*l.* beyond all preceding years. This increase, too, did not arise from any new taxes, except an additional tax on licences, which perhaps had produced 2 or 300,000*l.* The stamp duties of 1814 amounted to 5,598,000; those of 1815 to 5,865,000*l.* On this head it was however, to be recollected, that there had been a large addition to the duties on stamps, to which the increased produce was in part attributable. The assessed taxes of 1814 were 6,411,000*l.*, those of 1815, 6,214,000*l.* being a diminution of 200,000*l.* The property tax of 1814 was 14,218,000*l.*, the produce of the same tax in 1815 was 14,318,000*l.* being an increase of just 100,000*l.* The land tax on account of the constant progress of redemption, was subject to diminution. The produce of this tax in 1814, was 1,129,000*l.*; in 1815, it was 1,079,000*l.*—The total amount of the produce of the revenue in 1814, was 65,429,981; in 1815 it was 66,443,802*l.* This it would be seen, was an increase of more than a million above a year, which also had exceeded any former year. Thus much as to the revenue of the country: and on this head we might rest satisfied as to the prospect which was held out as to the future productiveness of the taxes.

He should now say a few words as to the application of the grants which had been made with a view of meeting the dangers which in the last year, seemed about to fall upon the country—dangers which were averted in so short a time by the wonderful successes of our arms. It was on the 14th of June last that the proposition of supply had been submitted to the House. It was then predicted by some gentlemen on the other side of the House, that the supply then demanded, though unprecedentedly large, would fall as short of the wants of the country as the supplies of former years. It was then also surmised, that the attack of the Allies on the French frontier was altogether hopeless. An end was soon put to both predictions. The next day after these prophesies the attack began at Charleroi, and the cannon did not cease to roar until the flight of the French leader, the dispersion of his troops, and the fall of his empire put an end to the whole war. In bringing forward the view of the finances in the last year, he had observed that of the sum which was then applied to the public service, 21 millions would be employed in the payment of arrears. The whole of that sum had been actually employed for that service, and in addition, a further reduction of the unfunded debt had been made to the amount of 21 millions more. The surplus of the grants for the service of the last year had been thus beneficially employed; the debts thus reduced were the Exchequer bills and the navy debt, so that the whole unfunded debt had been brought down from 68,547,000*l.* to 47,700,000*l.* [Hear, hear!]

If they turned their eyes to the commerce of the country, the view would not be less gratifying to the House. He could merely give a statement of our exportation for the three quarters ending October 10, which was the latest period to which the accounts had been made up. In the three quarters ending October 10, 1814, the value of our exportations had been 37,167,294*l.*; in the three quarters ending on the same day, in 1815, they had been 42,425,357*l.* He should not attempt to go through all the particulars of this sum; but he should mention some of the principle heads. The cotton manufactory in the three quarters of 1814, had exported 13, 668,938*l.* In the same part of 1815 these exports had amounted to 15,376,908*l.* being an increase of 1,700,000*l.* The linen manufacture had in the three quarters of 1814, exported 1,186,659*l.* In the three quarters of 1815 it had exported 1,340,621*l.*—The woollen manufacture in the three quarters of 1814 had exported 6,131,008*l.*, In the same part of 1815, 8,744, 835*l.*

While our situation with respect to commerce was so prosperous, it was not to be denied that we were labouring under many embarrassments. Of these embarrassments, and the remedies which might be applicable, he should now attempt some developement. They had arisen from the circumstances in which the country had been long placed, and which had operated on the prices of all articles, especially agricultural produce, which had swollen to a rate quite disproportionate to the prices of all other commodities. The alarm of the scarce years of 1795, 1799, and 1800, had produced a general opinion which was indeed at that time probably well founded, that the agricultural produce of this country was inadequate to its consumption. At the same time the uncertainty of supply from abroad was increased. That supply was sometimes stopped, at other times the price of grain was raised by the foreign powers on whom our supply depended in proportion to our wants, by the enormous sums exacted for licences and duties on the grain itself. Having been thus thrown back on our own produce, in years which were not remarkably abundant, the inadequacy of the supply was felt more strongly, and prices continued to rise in proportion. This spur to exertion in that branch of industry increased the agricultural produce to that degree, that it would soon have been fully equal to the wants of the country, had not the foreign markets been reopened, and corn poured in in such abundance, as to distress the agricultural interest. When this was discovered, protecting measures were proposed; but those measures came after a large supply had actually been received from abroad, and one very productive harvest, together with this superfluous stock, continued the depression of prices and sunk them yet lower. In addition to these circumstances, the government, who had been purchasers to a considerable amount, withdrew in consequence of the peace from the market. The victualling-office alone had been in the habit yearly of purchasing 200,000 sacks of flour. The commissary general had often made considerable purchases. Whenever government went into the market, the prices were raised in a greater proportion than if the same additional purchases had been made by individuals, because the payment of government was sure, and its wants were known to be urgent and irresistible. When government withdrew itself and moreover, from motives of economy, threw back a considerable quantity of stores into the market, a great fall in price was to be expected. Had parliament interfered by a corn law earlier, much of the evil would probably have been prevented; but the measure which had been proposed had not passed, because the country was not prepared for the measure, and the House was not willing to press it till its necessity should be more generally felt. The parliament had therefore foreborn, till in effect the blow at the agricultural interest had been struck. This blow was not felt by the agriculturists alone, but the suffering was necessarily extended to all who were concerned in its prosperity, especially those who supplied the various articles consumed in agriculture. This distress would continue to be felt until the effect of the diminished prices of agricultural articles should have produced the same reduction in other commodities.

Such were our embarrassments. The remedies which had been proposed were numerous: many were absurd, and many dangerous; and he should therefore forbear to trouble the House with an enumeration of them. There was one, however, which it was proper to mention, that of suspending the usury acts, which had been proposed by an hon. and learned gentleman (Mr. Brougham), with a view to the support of credit. If there was a prospect that our difficulties would long continue, and there were not other more advantageous methods of relieving credit, the chancellor of the exchequer said he was not disposed to think lightly of this proposition. But as he had a remedy to propose which would answer the same end, without the same inconveniency which might result from the suspension of the usury acts, he should not now avail himself of that proposition. The remedies which he had to propose might be divided into two classes. The first a diminution of taxation [Hear, hear!]—the other a system of measures for the support of public credit. This last was the most important and the most easy of remedies. To illustrate this observation, he should make use of a vulgar idea, which might, however, serve his purpose better than a more laboured argument. Suppose by a magical operation every individual in the country should find a guinea in his pocket. This supposition was rather visionary, but what would be its effects? Although more than twelve millions of guineas would be thus distributed in the country, no man would be much better able to pay a debt of ten pound than at present. The advantage would be momentary; there would be no relief from the difficulties in which we were now involved. Putting the temporary relaxtion from labour, and some other inconveniencies which would be likely to arise out of the question, it would be some time before this sum accumulated, so as to form a part of the active capital of the country. Now the effect would be far different, if this 12 or 15 millions were distributed among the country banks and other establishments accustomed to afford accommodation to agriculture and to trade. Every man who could give security would be accommodated, trade and agriculture would revive, and our present distresses would vanish. Though it was not his intention to give a guinea to every man, nor 15 millions to the country banks (though this had been suggested), yet, from the operation of these two methods of employing a given capital, the different effects of taxation and borrowing might be conjectured. If a tax, to the amount of a guinea on each person, were imposed on the country, supposing it wisely distributed, the effect would not be distressing; but the present distress would be much augmented by taking a sum to the same amount by way of loan from the capitalists. If, therefore, no money were borrowed this year, and a sum of 14 millions were swept away from the public stocks by the sinking fund, a great capital would thus be thrown back into the country, which must have a most beneficial effect on public credit.

During the last year parliament had been under the disagreeable necessity of adding 54 millions to the funded debt of the country; but if now, instead of adding 54 millions, nothing was added, but on the contrary, 14 millions paid off, it was evident that a very beneficial impulse would be given to the general capital of the country; an impulse far better, and far exceeding any that could be afforded by other modes of relief. He had already stated that it was the wish and the intention of government, to provide as much relief as possible to the present difficulties of the country by a diminution of taxation, and compared with last year some considerable diminution would take place, though not perhaps to the extent which many gentlemen might anticipate. By reducing the property tax to five per cent. an immediate diminution of seven million of taxes would be effected, of which sum above four million would fall to the share of the agricultural part of the country; and in addition to that, he hoped he should be able to propose a remission of other taxes which affected the agricultural interest, to the extent of one million. The whole taken together would therefore make a total relief of five million. The reduction of the one million would be divided between the schedule B, of the property tax, called the tenant's tax, and by reducing and removing partially or wholly the tax on farming horses, &c. He was persuaded that that would be found a very important relief; but with respect to a much more important and essential remedy, he apprehended it could be found only in that support of public credit to which he had already referred. It was his most anxious wish not to press upon the money market during the present year, and he hoped he should be able to prove, that the wants of the government might be supplied without any loan whatever, or resorting to any other mode of raising money except the ordinary resources. If, instead of being thus obliged to press on the money market, he was enabled to throw into that market a fresh capital from the sinking fund of fourteen millions, he had no doubt that the effect of that proceeding would be, in the course of a very few months, to relieve in a very considerable degree the distresses under which the country now laboured.

It would now be his duty to state, in a short and summary manner, the principal heads of the public expenditure for the present year. In the coure of the evening, an hon. friend of his, one of the lords of the Admiralty, would have to propose a vote for the number of seamen which it was intended to keep up. He would mention, however, that he by no means wished to be understood as laying down the outlines of a permanent peace establishment; he had nothing further in view than merely to state what would be the necessary supplies for the present year, without wishing to say that farther reductions might not be necessary. He felt confident, indeed, that he could point out, in future years, reductions of various kinds to the amount of several millions; but it surely could not be a matter of surprise that we should be unable, in the very first year after the conclusion of so long and extensive a war, to carry all those retrenchments into immediate effect. The House would not fail to recollect that the committee of finance in 1786, three years after the signing of a definitive treaty, held out to the country the probable continuance of some of the war expenses, even as far as the year 1790, being seven years after the conclusion of peace. With respect to the navy estimates, there would be a vote proposed that evening for 33,000 seamen, and in addition to that vote, which would create an expense of 3 millions, the ordinaries and extraordinaries for the navy would amount to four millions more, making an aggregate of seven millions for that branch of the public service. The number of seamen might appear somewhat large, especially when compared with former peace establishments. Between the years 1783 and 1790, the number had varied from 20,000 to 18 and even 16,000; but the House would be aware, after such a war as we had been engaged in, how long it must be before the whole navy could be reduced to a permanent peace establishment. He wished also to mention, that the peace establishment in contemplation did not exceed 23,000 seamen; and that the remaining 10,000 were proposed on account of the squadrons still remaining on foreign stations, and which it had not yet been possible to recall and pay off.

With respect to the army, although it was not intended to propose any vote for that service on the present occasion, yet it might be necessary to enter into a general view of the subject. He wished, however, previously to press upon the attention of the House a distinction which he apprehended was not always kept in view. In comparing the peace establishment of the present with any former periods, it should be recollected that Ireland was now included in the estimate, whereas, before the union of the two countries, Ireland had her own separate establishment. The general amount of force intended to be kept up for home service, including both cavalry and infantry, would be about 25,000 men, in which would be comprehended the number required for the islands of Guernsey and Jersey. An equal number (25,000) would also be kept up for Ireland [Hear, hear! from the opposition benches], making altogether 50,000, to which 3,000 would be added as the proportion of relief for the different garrisons abroad. It would be recollected, that the army maintained in this country had not only to perform the home duty, but it was to be regarded as the reserve from which the gradual and successive relief was to be afforded to our several colonial establishments; for it would be impossible, even if desirable (which it certainly was not), that our soldiers, serving on foreign stations, should be wholly banished and expatriated from their native country. Their return home was not only a measure of humanity, but of sound policy, as being calculated to nourish and maintain that British spirit and feeling, which ought never to be extinguished in the bosoms of our soldiery.

He would now proceed to state the force intended to be maintained in our different colonial establishments. The garrisons of Gibraltar, Malta, and the Ionian Islands would require 11,000 [Hear, hear! from the opposition.] That establishment might appear somewhat large, but it should be recollected, that it was always necessary to keep up a greater force in places which had recently come under our dominion, and where the dissimilarity of manners, habits, and opinions was considerable, than in possessions which, by long connexion, had in some measure assimilated themselves to our political forms. In the different parts of America, including the Canadas, Nova Scotia, New Brunswick, and the Bahama Islands, there would be 10,000 men; in the West Indies 13,000; four thousand in Jamaica, and the other nine in the remaining islands; at the Cape of Good Hope 3,000; at Mauritius 3,000; and 3,000 at Ceylon. It should be observed, that a part of those establishments consisted of colonial troops, and in the West Indies of black regiments. Formerly it had been the custom to compose them entirely of British; but by the present mode of embodying the natives, there was a saving of British lives to a prodigious extent, as they were able to perform services and endure fatigues, which, from the nature of the climate and other causes, generally proved so fatal to the British. In every point of view, therefore, whether with respect to economy, policy, or humanity, such a mixed establishment was highly desirable; though, as the native troops were not so completely effective as the British, it was found necessary to keep a larger number of them on foot. The garrison of St. Helena would have 1200, the coast of Africa 1000, and 800 for New South Wales, making a total aggregate of 99,000 troops upon the British and Irish establishments. In naming that amount he was to be understood as speaking of the gross establishments to be kept up, and not the actual effective force; for if from the 99,000 nominal force that portion were to be deducted which would not be effective, there would not remain more than from 85 to 90,000 troops. The force serving in France, and to be maintained there for a limited time, amounted to 28,000, exclusive of artillery, which being 2,000, would make the whole number 30,000. In India there was to be 20,000; but for the expenses of that force the company were to provide, and for the support of the force in France no vote would be required from parliament, because the expense was to be defrayed out of the contributions to be paid from the French government to this country. With respect to those contributions, he knew that some doubts of their security existed: but if they might judge of the future from the past, there was every reason to be satisfied upon that head. Up to the present day, those contributions had been most regularly and most punctually paid. In the course of the last year, 700,000*l.* of the money received from France had been applied to the public services of this country; and it was intended to apply the whole to the public service, except such part of them as would be honourably bestowed upon the army, in the way of prize money, for their great and unparalleled exploits. He mentioned those circumstances, because, he believed that in point of law, the contributions of the French government would be of a similar nature with the droits of the Crown, and become the personal property of the sovereign.—[Hear, hear! from the opposition benches.] He would repeat his assertion, that unless he was much mistaken, which if he were, some honourable member might prove, those contributions strictly belonged to the Crown in that quality; but his royal highness the Prince Regent had determined that so considerable a sum, and one so honourably acquired, should be applied to the public service of the country, and in no other manner, with the exception which he had already stated, of a donation to the army as prize money. The amount of that donation would be about one million sterling, to be distributed among the British, Dutch, Hanoverian, Brunswick, and other troops composing the army of the duke of Wellington. He calculated that about 800,000*l.* would be received in the course of the present year, and of these as well as all other receipts of the same nature regular accounts would be laid before parliament. The total amount of the army estimates under this head, including many temporary establishments, and exclusive of the extraordinaries, would be nearly 9,300,000*l.* The commissariat establishment was estimated at 680,000*l.*: barracks, 258,000*l*; and the extraordinaries at about 2,000,000*l.*

The total amount of the military charges for the present year would therefore be about 12,238,000*l.* The ordnance estimates were in a less forward state, and could not be precisely calculated: but he presumed they would be somewhat short of 2,000,000*l.* though he would take that as a round sum. The miscellaneous services he would, in like manner, estimate at the round sum of 2,500,000*l.* When the several items came before the House, it would be competent to it to make any reduction it might judge necessary. There remained only one other item upon which it would be requisite to trouble the committee; and that related to re-payments of sums which had been advanced for the public services in India, by the East India company. In consequence of the pressure of the late war in India, applications had been made to the government for the re-payment of a part of those allowances. A minute and accurate investigation of the claims of the company had been entered into, from which it appeared, that they amounted to 2,000,000*l.*; and of that sum about five or six hundred thousand pounds had been re-paid, which was immediately sent to India, and no doubt it was found a very important and seasonable supply. The total of this joint charge for the united empire, amounted to 24,318,000*l.* to which were to be added some other items of charge, which make an aggregate of 29,398,000*l.* From that sum, however, there was to be deducted the Irish proportion, amounting to 2,500,000*l.* An intimation had been given to the House during the last session, of a plan which was in contemplation, to consolidate the Exchequers of the two countries, and in a short time he should have to submit a proposition to that effect; but he did not think it would be right to postpone the general finance measures of the year till the period of bringing that proposition forward, and of submitting it to a complete and thorough investigation.

He had now come to the last division of his subject, which related to the ways and means by which, in his opinion, if the House should concur in that opinion, it would be most expedient to meet those different heads of expenditure, and he should have the pleasure of beginning them by a very novel and satisfactory item, namely, a surplus of the unapplied grants of the preceding year. He had already stated what considerable sums of the unfunded debt of the country had been liquidated by the application of the surplus of those grants, and he had now the further pleasure of stating, that they might safely take credit for three millions more, as applicable to the public service of the country in the present year [Hear, hear!]. The next item was the surplus of the consolidated fund, and although it was impossible to determine the precise sum at which that surplus might be taken, until after the 5th of April, yet he was sure he might safely estimate it at 2,500,000*l.* The ordinary annual taxes he would estimate at 3,000,000*l.* He also intended to propose the prolongation of some of the war taxes on customs and excise, which had not yet expired. The next item was a five per cent. property tax; but, having in view some reductions, and bearing in mind also some probable diminutions from other causes, he should not estimate its produce at more than 6,000,000*l.* The lottery he should take at 200,000*l.* The only remaining item was one with which he should not trouble the committee at any length: he alluded to an advance from the Bank of 6,000,000*l.* The negociations upon that subject between the government and the Bank, would be found in the papers now upon the table of the House. The expediency of that arrangement would, he apprehended, be obvious to the House; but he wished explicitly to state, that in concluding it, no reference was had to the principle of accommodating the Bank in any way; it originated solely and exclusively from the view of supporting the public credit of the country. Instead of proposing a loan of 12 millions, he preferred the extension, for two years, of half the property tax, and an advance of six millions from the Bank. Of that six millions, one million and a-half would be deducted for the re-payment of an advance which had been made by the Bank some years ago, and therefore only 4,500,000*l.* would be applicable to the public service of the country. That arrangement would be found, he trusted, most conducive to the support of public credit, and to the public interest. He confidently believed, indeed, that notwithstanding that advance of 4½ millions from the Bank, the outstanding unfunded debt of the country would be less at the end of the year than it was now. If a loan had been raised to the amount he mentioned, he did not imagine it could have been obtained upon better terms than last year; and they would therefore gain all the difference between funding the sum in question now, rather than two years hence. The plan was, he hoped, not only free from all objections, but entitled to considerable praise. As however he should shortly submit a motion upon this subject to the House, with the view of founding upon it an act of parliament, he should not now trouble the House any longer with details upon that transaction. Here the right hon. gentleman in reply to a question asked by Mr. Baring, stated, that the six millions was to be advanced by the Bank at an interest of 4 per cent. being 1 per cent. below the current rate of interest. The total amount of the ways and means he should therefore state at 26,700,000*l.*

Having thus unfolded at considerable length the general statement of the finances for the year, he should now sit down, and hold himself in readiness to give any further explanations that might be required. He only wished to remind the House once more, that in what he had advanced, he was not to be considered as speaking of a fixed and permanent peace establishment, but merely of the wants of the year, which would have to be supplied. It would be for the wisdom of parliament to determine upon any plans of economy which might appear expedient, and certainly great and important retrenchments would be hereafter practicable. He trusted, however, he had satisfactorily shown that our finances and revenue were in a flourishing and improving condition [Hear, hear!] He should, therefore, conclude by moving the first resolution viz.; 1 "That a sum, not exceeding 11,024,100*l.* be granted to his majesty, to pay off and discharge exchequer bills made out by virtue of an act of the 55th year of his present majesty, for raising the sum of 12,500,000*l.* by exchequer bills, for the service of Great Britain, for the year 1815, outstanding and unprovided for."

Mr. *Ponsonby* said, that he would not follow the right hon. gentleman through the whole of his extensive statement; many of the details of which, indeed, it was impossible immediately to understand. Some parts of it, however, he could not pass over in silence. He alluded especially to those passages which related to the enormous military establishment which the right hon. gentleman had declared to be necessary for the country [Hear, hear!] Yes, enormous he would call it, because, in no view of the state of public affairs abroad or at home, did it appear to him to be justifiable. His majesty's ministers had talked a great deal about economy and retrenchment. In no branch of the public service could more benefit be derived from retrenchment, than in that identical one of our military expenditure. Another part of the right hon. gentleman's statement, on which he must say a few words, was that in which he proposed to keep the property tax on foot for two years. For one, he would enter his protest (as he had frequently done before, by his vote) against a single shilling of the revenue being raised by a continuation of the property tax. He intreated the House and the country not to allow themselves to be deceived or cajoled on this subject. If the property tax was continued, they might depend upon it they would see no real retrenchment. As long as that tax was maintained, government would not look seriously for the means of economy, and the only way to compel them to do so was to terminate its existence [Hear, hear!]. In another part of the right hon. gentleman's speech, he talked of an agreement made with the Bank, and adverted to a paper which the right hon. gentleman said was on the table, but which he (Mr. Ponsonby) had not happened to see. After what had passed in the House of Commons last year, it appeared to him that it would be most extraordinary if the right hon. gentleman had made any agreement with the Bank, without the previous sanction of parliament; and if the terms of the bargain mentioned by the right hon. gentleman were all that the public was to expect from the Bank, he totally differed from the right hon. gentleman in his opinion of the transaction; conceiving that on examination, it would prove to be highly disadvantageous rather than beneficial. He was not quite sure that he comprehended the right hon. gentleman's meaning in another part of his speech, and he should be sorry to misstate him. In discussing the best mode of relieving the distress of the land proprietors and landholders, the right hon. gentleman dwelt on the expediency of supporting public credit by abstaining from loans, and then talked of farmers and others obtaining relief through those accustomed channels by which they had formerly received assistance; namely, the country bankers. He fancied he did not quite comprehend the right hon. gentleman. How were the country bankers to obtain the means of affording assistance to the distressed agriculturists? Were they to receive aids from the treasury? [The Chancellor of the Exchequer replied across the table in the negative.] What, then, did the right hon. gentleman confine himself to the expectation that in consequence of money not being raised for the service of the state by loan, country bankers would have more money to lend among the farmers? If that were all, no immediate or extensive relief could be justly anticipated. Unless the property of the farmer were increased so as to enable him to give security for the money advanced to him, he was at a loss to conceive by what magic a banker would be induced to lend him a greater sum than at the present moment. The property of the borower must be first augmented before the lender could be expected to come forward with his money. Otherwise, the operation would indeed be a slow one. The right hon. gentleman had expressed his wish, and the general wish of his majesty's servants to retrench the public expenditure. But he was persuaded that reliance could be placed alone on the integrity of parliament, and on the spirit of the people, to compel retrenchment. [Hear, hear!]. If that House did not do its duty, the people would conceive that their representatives had entirely deserted their interest, and that complaisance to his majesty's administration—either the present administration, or any administration by which it might be succeeded—had seduced them to neglect their first and most important duty.

Mr. *Brougham* said, that he would not go much farther than his right hon. friend had done in the task of pursuing the right hon. gentleman through his very candid and luminous speech. Various opportunities would offer themselves, in which the minuter details of this comprehensive subject might be more advantageously discussed. Nevertheless, he would, to a certain degree, follow the right hon. gentleman through some parts of his statement, and that in a great measure, because he wished to take the earliest opportunity of protesting against some of the principles which the right hon gentleman had laid down. And this was the more necessary as if no disposition were evinced in the House to question those principles, his majesty's ministers might proceed to carry them into effect. He therefore wished to give the right hon. gentleman the means of affording those explanations which he had so candidly professed his desire to give.—The first object stated by the right hon. gentleman, and declared by him to be uppermost in the mind of every man, was the unexampled distress which prevailed over so large a portion of the country. When he reminded the right hon gentleman of the fine picture painted of the state of the country in the speech from the throne, he was sure the right hon. gentleman must, in common with the House, feel disappointed to find, that when affairs came to be particularly examined, they did not turn out to be quite in so flourishing a condition. It did happen, that although not the first, yet certainly the second consideration in the right hon. gentleman's speech, was how the great and alarming distress which prevailed could most effectually be relieved.

In entering on this consideration, the right hon. gentleman had done him the honour to allude to a suggestion which he had thrown out on the first evening of the session, as one of the best means to relieve the landed interest, namely, a new arrangement, if not the repeal of the usury laws. The right hon. gentleman had omitted to notice the other suggestions which he had made on the same occasion, and which he would take an opportunity shortly to restate for the right hon. gentleman's candid consideration. But, first, with respect to the proposition for repealing or modifying the usury laws, he confessed that he was by no means satisfied with the grounds on which the right hon. gentleman objected to it. The right hon. gentleman said he hoped the distress was not permanent. It was precisely because he (Mr. Brougham) thought it might not be permanent, that he had made this proposition respecting the usury laws. It was in the ordinary course of events, until the agitation of passing from a state of war to a state of peace had subsided, that during that moment, or rather during that one, two, or three years, great distress should occur. It was on that conviction, and with the hope and expectation that the distress so created would not be permanent, that he had asked, whether it would not be advisable to facilitate to the distressed persons the means of relieving themselves by borrowing money, and thus enabling themselves to hold out, as the phrase was, until their affairs should right, —until the storm should pass over them. This was a most material consideration. Whatever promised to give them the means of living out the storm was too advantageous a hope to be neglected. At the present it was needless to say—for all who were acquainted with the money market knew the fact—that the existing laws, preventing the borrowing of money on mortgage at a higher rate of interest than 5 per cent. had not merely diminished, but had put an entire stop to the practice of borrowing on mortgage. A single instance was sufficient to prove this, and it spoke volumes on the subject. All the life and insurance companies in the metropolis, being wealthy bodies, and having more capital than their immediate necessities required, were in the habit of lending money to other companies and to individuals. Now, if any men or societies were to be expected to advance money on equitable terms, it was these great bodies. They carried on their affairs in a steady and systematic manner, and, in the investment of their money, attended rather to ultimate security than to immediate profit. Of all lenders therefore, from them the most favourable terms were to be looked for. A common Jew or money lender risking his money on inferior security, demanded an exorbitant return. But such was not the case with these solid and respectable bodies. On what terms did they lend their money? In no one instance did they lend a shilling on a regular mortgage at five per cent. A few years ago indeed, the money market was in a different state. But of late (he spoke in the hearing of many who were fully competent to contradict him if he stated any thing but the fact), in no one instance, unless it were some extraordinary cases of great proprietors of houses, who by insuring with them gave them a kind of douceur, did these companies lend a landholder on his estate, or a tenant on his stock, one shilling sterling at 5 per cent. What, then, were the means of employing their funds to which they had recourse? The transaction was this: It was turned into an annuity contract. Money was lent on annuity. Instead of 12, 13, or 15 per cent. which the ordinary money lenders demanded, these companies were contented with perhaps 8 per cent. But then they required that the life of the borrower should be insured. This cost about two per cent.; making in the whole about 10 per cent. for money so advanced. These were the very lowest terms. Some companies required more; some 12, some 13, some even 15 per cent., and of course the annuity was invariably well secured. This one case was as good as five hundred, to show that the usury laws were the sole cause which prevented the old practice of borrowing money on mortgage. It was evident that two per cent. was entirely lost by the conversion of the ordinary practice into an annuity transaction; and with respect to the other 8 per cent. it was increased to that rate partly by the round about nature of the affair, and partly because the private brokers, demanding a great deal more, advanced the money market. Thus therefore, not only the direct 2 per cent., for life insurance was lost to the lender but indirectly a large part of the 3 per cent. that he paid above the five prescribed by law. The result of the whole was, that the borrower, instead of paying only 6½ or 7 per cent. for his money, paid 10 at least, frequently 12, and sometimes 15 per cent. The right hon. gentleman, however, was not for altering the laws, but for affording relief in some other way. His project was to keep public credit high, by not interfering with the money market, and by allowing the sinking fund in its former operation of 12 or 13 millions, or whatever it might be, to redeem so much stock, to be placed in the hands of the commissioners for the reduction of the national debt; and by these sales of stock the right hon. gentleman appeared to expect, that much money would be thrown into the hands of private individuals, who would be enabled to lend it to the land proprietors, and that the good effects of all this would speedily be made manifest. Now, supposing the usury laws to remain in their present state, what right had the right hon. gentleman to expect that in this year, or in the next year, the operation of the sinking fund in thus transferring thirteen millions to private individuals, would be lent at 5 per cent. by those private individuals, with more alacrity than it was now so lent by the insurance companies. To a certain degree this operation might bring down the rate of interest, but no one who knew any thing of the subject could dream that it would induce the lending of money on mortgage at 5 per cent. If the right hon. gentleman reflected for a moment, he must be persuaded that it was visionary to expect that so great and so sudden a reduction, as from 10, 12, or 15 to 5 per cent. in one or two years could take place. He therefore did most earnestly entreat the right hon. gentleman to dismiss this hope, this speculation (for it was no better) from his mind, and taking up the proposition to which, when he originally suggested it, the right hon. gentleman appeared to pay some attention, to consider the expediency of immediately having recourse to that measure which, in the present age, all mankind agreed, was perfectly safe, calculated to afford the greatest measure of relief, and innoxious to the borrower, to the lender, and to the state.

He now begged leave just to advert to some of those other suggestions which he had thrown out the other evening, and which the right hon, gentleman had omitted to notice. The right hon. gentleman had said nothing about the removal of the existing restrictions on the exportation of the produce of the landholder, whose wool was now locked up in the island, the exportation of it amounting by law, almost to a felony. Why was not the relief of the foreign market afforded to the landholder by the abolition of these restraints? This would be just as safe an experiment as the abrogation of the usury laws. Not even the right hon. gentleman could be so childish as to think that it would be dangerous. Another mode of diminishing the distress of the landed interest, would be a more equal levy of the poor-rates. At present they fell exclusively on the land. Yet the law was not so. It was contrary to the tendency, and even to the letter of the statutes, that there should be no levy on the merchant, on the manufacturer, on the professional man, but only on the landholder. By the system at present pursued, a manufacturer living in a house filled with spinning jennies, by which he made 15,000*l.* or 20,000*l.* a-year, paid a rate on 300*l.* or 400*l.* a-year, while his next neighbour with 15,000*l.* or 20,000*l.* a-year in land, paid on the whole of that rent. And let it be considered, that to the production of paupers the manufacturer chiefly contributed, and that from them the manufacturer derived a benefit which the landholder never did; but the contrary; as the poor-rates paid by the latter enabled the former to obtain his labour on easier terms. It was true, that to render the levy of the poor-rates more equal, some new machinery must be constructed approaching to that of the income tax, although he trusted, that it need not be so inquisitorial. In any case, the present mode of assessment required modification. He had also ventured to suggest some arrangement of the tythes as a measure calculated to render great benefit. He entertained a confident expectation, that this suggestion would not be neglected by those who had the power of carrying into effect any plan that might seem calculated best to conciliate the conflicting interests and feelings on this important subject.

Having said so much on the mode of affording relief to the land-owners and holders, he would now trouble the House with but a few words on the statements submitted to them by the right hon. gentleman. He owned that he participated in a great degree in his right hon. friend's feelings of surprise, regret, and he must say indignation, at hearing that called a peace establishment, which at any former period would have been called a most grievous war establishment. It was true, the right hon. gentleman had said, that the establishment would be greater in the first than it was likely to be in any subsequent year. Unquestionably, in one item it would probably be diminished. There were to be 149,000 men for the service of the year. The right hon. gentleman had stated, that in the present year it was necessary to vote from 40 to 50,000 men more than would be otherwise required, because that number were on their way home. [The Chancellor of the Exchequor said in explanation, that, besides the permanent establishment, there would be 40 or 50,000 men in supernumerary regiments, but in a course of reduction.] Mr. Brougham wished to know, whether the 26 millions voted for the whole supply, naval and military, included the expense of the men just now described by the right hon. gentleman? [The Chancellor of the Exchequer replied in the affirmative.] What prospect then, could the right hon. gentleman have of diminution of expense in the next year, but in that item? [The Chancellor of the Exchequer said, ten thousand seamen.] True, there would be also that diminution. But calculating on those two items of diminished expenditure, what likelihood was there, that in this enormous military establishment of about 30 millions, there would be a diminution next year, or the year after, that would reduce it to a less sum than 25 millions? A reduction of five millions was the most that could be expected, even on the right hon. gentleman's own showing. But let the House contemplate the items of which these estimates were formed.

Enormous as was to be the military establishment in Great Britain, one as enormous was to exist in Ireland. Let the House reflect on the rapidity with which these establishments grew from war to war, and how at the conclusion of every peace the country was left loaded with a military expenditure, continually increasing: 149,000 men were now to be saddled upon the country, in all probability for a permanency; and this, besides 20,000 in India. It was true, the right hon. gentleman said, that the East India Company were bound to pay for this army. But were we not perpetually making good the arrears of the company? were we not perpetually giving them loans, and was it not therefore a mockery to say that the East India company would pay for these troops? Then there were to be 11,000 men in the Mediterranean. The whole army of England in peace used to be between 4 and 5000 men in all. But this was in better times—in better times with respect to money, and, if he might speak of any thing but of money in a committee of supply, in better times for the constitution. Now, however, the Mediterranean alone required, it seemed, 11,000 men. We were to keep not only Gibraltar, (which no man would be slower to give up than himself, cost what it might), but we were to keep Malta. Why? Egypt, and apprehension for India, gave us no longer a pretext for retaining this island. We no longer feared the ambition of France. But it was the custom to say that we ought to retain Malta, and so we retained it. Then again, why were the seven or eight Ionian islands saddled on us? Productive of nothing else, they were exceedingly rich in patronage. There must be governors, and secretaries, and commanders in chief, and commissaries, and port admirals, and the whole apparatus of patronage. And these were the latent inducements to burden this country with their protection. In the West Indies, where there used to be 7000 men, there were to be 13,000. But to any objection against this, the right hon. gentleman had a triumphant answer, that from the description of force, a large proportion being black troops, a greater number was requisite. To this he readily assented. But, when the right hon. gentleman went on to observe, that we had many more islands to guard, might he presume to request the right hon. gentleman to explain what we gained by retaining so many islands? Had we not enough to send our soldiers and sailors out to die in formerly? "But we must keep St. Lucie," said the right hon. gentleman, "because it is a good military and naval station." Why keep up so large an army in the West Indies? Was our navy more crippled at present than in 1792, 1793, or 1794? Why not trust to the active preparation of the navy on the breaking out of a war, rather than keep up a navy during peace, in order to have something less to prepare in the first year of a war? And why keep all the Dutch colonies? They were never retained before. For his part, he most conscientiously believed that they were kept, on the representation of a certain small class of merchants (whose faces were as well known at the Treasury, as those of the hon. gentlemen opposite), who having invested their capitals in loans to those islands, from which they received valuable consignments, induced government, by persuasions and threats, to keep Demerara, Essequibo, and Berbice, to fill more completely our already glutted markets, to have more sugar, more coffee, more cotton, lest they should lose their consignments, and risk their capitals. Another reason which, he was persuaded, had influenced government to keep these islands was, the expectation of patronage; for not one of them, however useless, or detrimental in other respects, but was productive in that way. All had their harbour masters, their barrack masters, their little sinecure placemen, and their little operative placemen. Every one was, in short, a little Ionian island. And for this the country was to be saddled with the expense of 13,000 troops.

There were many other objectionable items in the right hon. gentleman's statement, for the discussion of which future opportunities would be afforded. He would for the present confine himself to one. The right hon. gentleman had declared that 25,000 troops would be necessary for Ireland. Mr. Brougham said, he rejoiced to hear at last the name of our sister island introduced. He really had imagined that the session would elapse without any notice of her. In the speech at the opening of the session nothing was said of her. Now, indeed, she was mentioned with a vengeance; for it came out that in time of peace her standing army was to be 25,000 men—the same number required for England, Scotland, Guernsey, and Jersey. There was one means of reducing the expenditure for that country, which did not seem to have entered the minds of the right hon. gentleman and his colleagues, but which pressed itself strongly upon his. Would no saving be practicable in the military expenditure of Ireland by any measure which the British government could suggest for the calming and tranquillizing of the country? Would no amelioration of the Catholic and penal laws produce that effect? Would no such arrangement of tithes as that so often proposed by a right hon. baronet, a friend of his, enable the country to get rid of the monstrous and unheard-of burden imposed during a time of peace, when the disaffected in Ireland could have no hope of succour from a foreign enemy, merely to keep that country in a state of quiet? He trusted that the right hon. gentleman would deeply consider this important subject, and lend his assistance to his noble colleague, who, it was generally understood, had devised some plan to give effect to the sentiments which he entertained respecting Catholic emancipation.

He was surprised that no other means should have been proposed by the right. hon. gentleman for affording relief to the extraordinary difficulties under which the agricultural interest at present laboured. Amongst other plans might be suggested a loan in exchequer bills, by which assistance was often granted to different bodies on similar occasions. He was also astonished that the right hon. gentlemen, when alluding to the diminution of expense in the naval establishment, should omit to propose a reduction in the number of the lords of Admiralty. He trusted the hon. baronet opposite (sir George Warrender) would call the attention of the House, when the proper opportunity occurred, to such items of retrenchment in the naval department, as the prodigious change from a state of war to one of profound peace, gave the country a right to expect. One of those items was the diminution of useless offices; and he thought a proposition on that point would come with more grace from the hon. baronet than from almost any other person, as perhaps he would himself lose something by it. They were now, it seemed, to have the assistance of the same number of lords of the Admiralty, and secretaries, as when the whole British navy, amounting to upwards of a thousand vessels, was employed. There were at present seven lords of the Admiralty: of these, he conceived, four might be dispensed with; nor would he agree to vote a single shilling, on this head, until it was clearly shown, that lord Melville, who was now first lord of the Admiralty, and two puisne lords, could not transact the ordinary business. Of this he was quite certain, that if seven lords were necessary, when there were only about two hundred ships afloat, and those doing very little, that number must have been entirely insufficient, for a state of extensive warfare If this was the fact, it was something consoling to find, that government had acted with so much economy, in causing the business to be executed by seven lords, when, in fact, ten times that number would not have been too many. If it was found that two hundred vessels required the exertions of seven lords of the admiralty, it was quite evident that a thousand called for a great many more. If seven lords were required to perform the duties now connected with the naval department, it was really astonishing how they had survived the labours of seventy, which, it appeared, they had borne for several years (A laugh). On this, as on other points, he hoped ministers would satisfy the country—going over the estimates, item by item, as they said they would, and as gentlemen on his side of the House had pledged themselves to do. He was anxious, on one important point, to have an explicit declaration from the right hon. gentleman. He would beg of him to look at the peace establishment of 1792, which was in the whole about five millions, and he would ask him how it could happen, France being reduced as she now was, Europe being leagued against her, her power being broken, and ours not only untouched, but greater than ever it was—having no enemy, nor prospect of an enemy—when France was so bowed down, that her situation, under Louis 14, in 1703, was a state of triumph and pride compared with it—this being the posture of affairs, he would ask the right hon. gentleman, why the practical result should be, that the public purse should be saddled with a peace establishment of between twenty-five and thirty millions? The right hon. gentleman denied the depreciation of the paper currency; therefore, he could not take credit for the rise in every necessary of life. But he would give him the benefit of that argument—and, allowing that the price of every thing was at present double what it was in 1792, why should the peace establishment be six times greater now than it was then? This was a grave and serious question. Every man in the country ought to be satisfied of the necessity of such an immense establishment, before it was voted; and he would prophecy, that the right hon. gentleman could not keep it up for a single year, without he could give a triumphant answer to the question he had asked. The ways and means would undoubtedly be fully considered at another period. On them, he should, therefore, say little at present. With respect to the agricultural interest, all the relief, it appeared, that the right hon. gentleman could extend to it, consisted in the taking off a part, and a very small part of the tenants' property tax, and the whole of the tax on horses used in husbandry. That tax, though oppressive, was the smallest in amount, of all those that bore on husbandry; and it was a mockery to suppose, that any substantial relief would be derived from its cessation. There was another tax, which, if taken off, would afford considerable relief; he meant the tax on leather. The repeal of that tax, which pressed heavily on agriculture, would do much good; and he begged the House to recollect, that when a motion was made to discontinue it, that motion was lost by only a majority of one. The right hon. gentleman had said nothing whatever about the war malt tax, which not only affected the grower of barley, whom it ruined, directly, but every person who had servants to provide with meat and drink. The propriety of suffering this tax to exist was a question well worthy the consideration of the House, and he was happy that the hon. member for Norfolk (Mr. Coke), had given the House, on a former evening, reason to hope that he would speedily introduce this important subject to their notice.

Last of all, he would allude to the great burthen, the property tax, which, reduced one-half, was to be continued. He could not impress too deeply on the public mind the unequal manner in which this tax operated, nor could he sufficiently reprobate the inquisitorial mode of its collection. It injured in a greater proportion than it oppressed—it injured in a higher degree than it produced revenue—and he was willing to admit that it was a most productive tax. The very circumstance of its being so productive, formed one of his strongest grounds of objection to it (Hear, hear! from the ministerial benches). It did so, because such a productive tax was likely to render ministers more saving and economical than those now in power, profuse and extravagant. He hoped that this tax would never be agreed to by parliament. He hoped the country would rise as one man against it. The House had an earnest of that in the petitions already laid on their table; and, he trusted, that in the course of a few weeks, the chancellor of the exchequer would be compelled to come down and state, that he had, instead of bringing forward the property tax, made a small loan, the interest of which would be charged on the sinking fund. He was much surprised, that, in enumerating the ways and means, the right hon. gentleman had not noticed the sum due by Austria to this country. The finances of Austria were now in a flourishing state—she kept armies abroad for the purpose of enforcing the payment of the expenses to which the war had put her. Any person who knew the situation of Austria, and who was acquainted with the nature of military finance, must feel astonished that this, our good and faithful ally, who was spoken of as having always been so true to her engagements, was not called on to pay her just debts. Why should she not now come forward—not to lend us money (no country lent money but this), not to give us money—but to pay that which she had borrowed from us? When this subject was formerly mentioned, they were told that her faith was undoubted (though, by the bye, she had broken faith with this country a short time before), but that her finances were in such a dilapidated state, as rendered it impossible for her to pay the principal of the debt, but that she would pay the interest. This she did for two or three years, and then even the interest was neglected. Well, if she could not pay the principal, her finances, he supposed, were now sufficiently improved to enable her to pay the interest. That, he believed, would amount to four or five millions. Such a sum would be of great use to the country at the present moment. Four or five millions, placed under the control of the chancellor of the exchequer—a sum which he never thought of, and which, of course, must be unappropriated—would be an exceedingly handy thing. It would enable him to give up the war malt tax, which produced 2,000,000*l*. and the farmer's property tax, 2,500,000*l.* Nothing was said on this point, and he would venture to predict, that nothing would be said, in the course of the session, relative to it. No effort would be made to compel that great and rich power to repay her just and fair debts. The hon. and learned gentleman asked pardon of the House for having detained them so long; but he could not suffer the present occasion to pass without throwing out, for the consideration of the House, those hints which he had deemed it necessary to submit to them and to the country.

Mr. *Rose* said, he did not mean to follow the hon. and learned gentleman through all his details, but would merely offer a few observations on certain points which he had introduced in his speech. The hon. and learned gentleman had argued that the laws against usury ought to be repealed. He, however, could see no reason, at the present time, for adopting such a measure, that did not exist, at any former period, when a scarcity of money prevailed. In the peace which succeded the American war, money was much scarcer than it was now, and yet no suggestion for a repeal of those laws had been offered. He did not know, but that, under circumstances of peculiar pressure, such a repeal might be useful; but he was sure that such a pressure did not at present exist. The hon. and learned gentleman had next adverted to the poors-rates. No subject had ever been discussed in that House more frequently or more seriously than this. Many plans had been proposed for the regulation of those rates, but none of them had been found adequate to the necessary relief either to the landed interest or to the house-holder. The hon. and learned gentleman admitted, that the fault was not in the law itself, but in the mode of its execution. If the hon. and learned gentleman would look to the law, he would find, that it did provide for assessing the manufacturer. If he thought its operation was not sufficiently strict, he ought to point out the way in which the law should be altered. It certainly bore hard on the land-holder, but the hon. and learned gentleman himself allowed that a great part of the agricultural labour was paid out of the poor-rates. Shopkeepers and others who paid the poor-rates, assisted in supporting the agricultural labourer.—The hon. and learned gentleman had also adverted to tithes which was a very popular subject. This question too had been much considered by the House; but no effectual remedy had been devised. He regretted this; but when they knew that no remedy could be introduced to meet the difficulties of the case, it was not in his opinion, wise to stir the question; and those who did introduce it, ought to point out a mode by which the evil might be cured. The hon. and learned gentleman had made some observations on the propriety of permitting the exportation of wool. This country imported that article from Germany, Spain, and Portugal. In France it was most abundant. He was at a loss, therefore, to know where it could be exported to. If such exportation were allowed, and markets presented themselves, the effect would be, that the price of our manufactures would be very much raised.—With respect to the public expenditure that would come under the consideration of the House distinctly, item by item; he should not, therefore, offer many remarks on that part of the hon. and learned gentleman's speech which related to it. The hon. and learned gentleman deplored our keeping garrisons in the West India islands, and insinuated that they were kept up merely for the purpose of affording a little paltry patronage. He had first spoken of the Ionian islands. What was the patronage there? He believed there was one commissioner and one secretary, This was an instance of the patronage he had magnified so much. "In God's name," said the hon. and learned gentleman, "why keep garrisons in the West India islands? Leave them to themselves in time of peace, and send out garrisons in time of war." Now it would be well if gentlemen would recollect what had occurred in former times. At the commencement of the American war the count Bouille sailed with a small force from Martinique and took Dominica, while admiral Barrington lay at Barbadoes. When he arrived, forty-eight hours afterwards, he found that count Bouille had captured the island, which was retained by France during the continuance of the war. This achievement was not effected by a formidable expedition; the troops employed in it were, in fact, only a part of the garrison, of Martinique. From Dominica, they proceeded to St. Christopher's and St. Eustatia; in short they made a sweep of our islands. The hon. and learned gentleman seemed to think very little of the commerce of those islands.

Now, he believed, that one-fourth of our shipping was employed in that very commerce; and the hon. and learned gentleman should recollect how much our naval strength depended on the extent of our trade. Besides this, the West India islands consumed our manufactures to the amount of five millions annually; and the revenue produced by the duties paid on the different articles imported from them, was not less than five or six millions. But all this was left out of sight by the hon. and learned gentleman; and the House were told that no object, but that of paltry patronage induced ministers to have those islands garrisoned. With regard to the peace establishment, he should say nothing until it came more distinctly under the consideration of the House. It was useless to talk loosely of the military force to be continued, whether 120,000 or 150,000 men. With respect to the navy no man, he was sure, would hold up his finger against the proposition that would be made with reference to it. He had not the same means of judging of the military arrangements, but he had no doubt that they would be fully justified by the occasion. The hon. and learned gentleman had implored the discontinuance of the property tax. That depended entirely on circumstances. If a great establishment was necessary, there must be a productive revenue to support it; and he was sure the mind of man could not devise means so just, so proper, and, on the whole, so wise, as this tax. Now what had this tax effected. When it was first imposed, it was for the purpose of raising the national credit, then at its lowest ebb. The three per cents. were, at the time, down to 47. Navy bills were at a discount of 15 per cent. The person who had purchased them, received 85*l.* for his 100*l.* The stocks were extremely low, every thing was going downwards, and a gloomy prospect of misfortune opened to the country. A property tax of five per cent. was then proposed,; it was afterwards raised to 6¼, and ultimately to 10 per cent. And here it should be remembered, that this great rise in the tax was made by the friends of the hon. and learned gentleman, when they were in power. They were the persons who raised it, and who took away some of those abatements in its collection, which were thought wise and proper originally. Let the House now look to its effects. It had saved a capital of 300 million: but for it, a debt to that amount would have been contracted; and it had also saved taxes to the amount of 12,000,000*l.* a year more. The hon. and learned gentleman said, that in a few weeks the table would be covered with petitions against this tax. He doubted this very much. Last year many petitions were presented against it; but when it was found that his right hon. friend, the Chancellor of the Exchequer, if this tax were withdrawn, would be obliged to propose others, more odious and oppressive, a very great change of opinion took place. He did not however, doubt, but that petitions would be introduced against the renewal of the tax; for if people were told that, by petitioning, they would certainly get relief, they would naturally take the advice given them. He recollected a meeting which he attended in the country, where it was proposed to petition against the tax. Every hand was held up in favour of the proposition, which was seconded by a friend of his, who paid nearly 3,000*l.* per annum property tax. If any person had then stated, that if the tax were removed, the sum which this gentleman paid must be provided for by some other tax, which would probably fall on individuals not so wealthy as he was, he had no doubt that some difference of opinion would have been excited. Before gentlemen ran away with the notion that the property tax ought to be repealed, they should consider the great advantages that had been derived from it. There was not a stockholder who was not now a richer man, in consequence of its operation, than he would have been, if it had never been enacted. The 3 per cents. were at 47, when it was proposed. Would they not have fallen to 40, 35, or 30—would not the funds have been nearly annihilated—if this salutary measure had not been introduced? The 3 per cents. were now at 60; last year they were at 65. The holder, therefore, of 10,000*l.* stock, at the time the tax was proposed, after deducting what he had paid, was now 500*l.* richer than he would have been, if it had not been agreed to. He felt that the tax bore hard on certain classes of the people; but any other tax, that would produce twelve millions annually, would bear on them still harder.

Mr. *Preston* repeated his arguments on the evil effects of the usury laws, and strongly impressed on the House the necessity of extending immediate and effectual relief to the agricultural interest.

The delay of one year more would place them, he feared, in such a ruinous situation, that all the efforts of government would be ineffectual to redeem them from it. The landed interest was exceedingly impoverished. Landed property had fallen 30, nay, he might say, 50 per cent in value within the last two years. What he had predicted two years ago had happened. The money capitalist had got rich, while the landed capitalist became poor. If relief was not extended to the farmers, he doubted very much, should the property tax be renewed, whether they would be able to pay it. At present, it was with the utmost difficulty they could pay the ordinary taxes. He, himself, knew a farmer, possessing 300*l.* a year, who had nothing better than water to drink. In many instances, the taxes were absolutely paid, not in money, but in kind—which was a clear proof of the inability of the farmer, and showed that there was a point, beyond which taxation could not proceed. With respect to tithes, something ought to be done. A plan, he conceived, could be devised, which would be at once useful to the landholder, and agreeable to the clergyman—a plan that would render the latter more rich, more comfortable, and more respectable.

Mr. *Western* said, that the expectations of relief which were held out to the farmers, would, if nothing more were done for them than what the right hon. gentleman stated, be ultimately fallacious. The relief mentioned by the right hon. gentleman would be found totally inadequate to remove the pressure by which they were now weighed down. The tax on agricultural horses was to be discontinued. Now, take a farm of three hundred acres, and employing sixteen horses, the tax for those horses would amount to 12*l.* per annum —that was the whole extent of the sum saved to the farmer by the discontinuance of the tax. If the property tax was renewed to any extent, the farmer had certainly a right to pay it from the clear profits of the land. The only just way of assessing him, was to charge him to the extent of his real property. On that ground alone could it be levied with justice and equity, if it was to be levied at all. If there must be a tax on the profits derived from trade, it was fair that it should equally extend to the real profits on agriculture. But at this moment, a great effort must be made to lift up the agricultural interest from the depressed state in which it was placed. It was in vain to propose taxes, unless profits existed by which they could be met. Now, he would contend, and he was unwilling to draw gloomy or desponding pictures, that the country, in its present state, did not possess profits from which taxes could be drawn. The land had borne more than it had a right to do; the rental, in fact, no longer existed. After paying all the expenses of cultivation, there absolutely remained nothing for rent. In such a state of things, it was clear that a great effort must be made. While this pressure existed, some indulgence should be shewn to the agricultural interest, until it was enabled to bear the necessary burthens. A great part of the arable lands absolutely paid no rent; and where rent was received, it was not derived from the profits of the land, but was supplied by money taken out of the capital of the farmer. Both with a view to the interests of the public, and to the future state of the revenue, it was imperatively necessary that agriculture should be relieved from its present depressed state. If this was not done, the agricultural interest must inevitably be ruined, and thus they would cut, from under their feet, the ground on which alone a flourishing revenue could hereafter be raised. The hon. gentleman then adverted to the income tax, the inquisitorial nature of which he strongly reprobated. It was a screw, and a very dreadful one, to force out the wealth of the country. But there must be something for it to work upon. In order to derive a revenue from any subject, it was necessary in the first place, that the source of it should exist, the tax could not create it: now if, by enforcing the property tax, so much was extracted from the capital of the farmer, we should ultimately diminish instead of increasing the resources of the country. Nor was it the obnoxious nature of this tax that constituted the sole objection to it: after the pledge that had been regularly given by every minister since its first imposition, that it should terminate on the cessation of the war, he thought its continuation after that period would be a breach of faith disgraceful to the country.

Sir *Robert Heron* said, that when the people were made acquainted with the proceedings of that night, it did not require the gift of prophecy to foresee, that they would be sunk in universal gloom and despondency. It was impossible but that they must feel the utmost discontent and even indignation, when they considered the mockery which had been practised by his Majesty's ministers, in putting the word economy into the mouth of the Prince Regent, when it was evident that they would never see it any where else. At such a time as this, the people naturally expected economy, and he hoped they would declare their determination to have it, in that firm, bold, and yet constitutional language, which no minister would dare to withstand. It could not be denied that the distress of the country was now greater than it ever was before. There was but one remedy for that distress, a reduction of taxation, and that could only be effected by retrenchment, in every branch of the public expenditure. Where should the people look for the example of economy but in the establishment of the Prince Regent—in the establishment of him who was called the father of his people. There the example should be found, and it should be followed in every department of the state. When they talked of economy on former occasions, they had been told of the imposing situation in which the country stood. Would to God they could do away with that imposing situation, if it was to be supported by such a load of taxation! Would to God they had availed themselves of that which Providence gave them, their insular situation, to keep out of continental quarrels! When we saw labourers without work—when small shop-keepers were without customers—when tailors, shoe-makers, and other handicraftsmen were starving for want of employment—it could afford them but little satisfaction to be told by the magistrate to whom they applied for a scanty subsistence, "Your distresses are certainly very severe, and there is little hope of amendment—but there is this consolation, that you are covered with glory! You have assumed a most imposing situation—your armies have expelled one despot and set up another—you have a prince who has so much dignity, that he expends as great a sum on a thatched cottage, as another monarch would on a palace: so dignified is he, so magnificent are his ideas, that he cannot endure to see the same furniture in his house for two successive years—he is such a friend to trade, that he cannot give less than 800 guineas for a clock—and such a protector is he of the arts, that he pays 6000*l.* for a Chinese cabinet.—(Laughter).—He has more lords of the bed-chamber than were ever heard of at any former period of English history. And perhaps in a few weeks you may have the delight of contemplating a corps of royal dancers!" When gentlemen talked of royal economy, or rather of royal extravagance, they were immediately told that there was a plot to vilify and degrade the royal family. If such a plot existed, it was formed by those who encouraged in his royal highness this system of extravagance. The dignity of the Prince would be better kept up, if his expenditure were diminished. He wished to God some of his advisers would state to him the principal causes of the French revolution, amongst which would be found royal extravagance.

Mr. *Grenfell* protested against the recent bargain concluded with the bank. After what had passed in the course of the last session, when it was understood that all consideration of this subject should be deferred to the present session, and after he had given notice of a motion relative to the transactions between government and the bánk, he conceived that it was not fair or candid to have adopted such a proceeding. It was a mockery of the House of Commons to say, that by this loan, as it was called, the public derived any benefit from the immense profits—eleven or twelve million made by the bank. The case was neither more nor less than this, that the bank proposed to lend to the public six million of the public money, at an interest of 4 per cent.

Mr. *Frankland Lewis* was astonished, after the pledge that had been given, that the property tax should be retained. He would call on the committee to imitate the conduct of the minister at the close of the American war. At that period the supply demanded was 14 millions and a half, to maintain army, navy, ordnance, colonies, garrisons, and all the various items of expense [No, no, from the treasury benches]; say 17 millions then; but he must observe on the wide difference between that period and the present. Had we not now been victorious? An hon. friend of his, the member for Banbury, had objected to the war, because it was to be continued till the whole army of France was destroyed; such an object was then ridiculed as absurd in the highest degree; and yet it had been accomplished. If, then, we were secure, why were 99,000 men any longer necessary? If neither France nor Spain had any navy, surely our colonies were safe? He would admit that Malta was less secure in the affections of its inhabitants than it might be ten years hence, when the British government should be better understood; and the same might perhaps be said of the Ionian isles. But he thought the Cape of Good Hope and the Canadas might raise a species of home force for their own protection, and he was certain that if a proper survey were taken, the country might sit down with a less establishment than that at present proposed.—He should add a word or two on the agricultural distress of the country. The Chancellor of the Exchequer had said, that a proportion of the taxes was to be paid from rent; but he was ready to show, at any time or place that there was no justice in this; nor could there be justice, unless the tax were apportioned to the profits. From the 10th of October last the tax was not yet levied, and if it were to be levied, it would be levied, not from profit, but from loss. The farmers, he thought, had a claim for some retrospective alleviation; indeed, any alleviation that could be devised for their distress, must be retrospective. It was not a wise policy to see the agricultural capital absorbed in taxes, and the farmers who made good their spring payments, could only do so out of their capital. He was sorry to find that one great topic of distress had been altogether omitted. Though he agreed that the extraordinary stimulus given to agriculture during the war was one great cause of its depression now—though he also admitted the great effect of the government purchases—yet a still more operative cause of the prevailing distress was the sudden withdrawing of a great mass of capital from circulation. Prices fell because they were expected to fall; bankers stopped their usual advances, and drovers, hucksters, and all petty chapmen who frequented markets, and traded solely on the strength of those advances, were checked in their bargains. In two years not less than 25 millions had been withdrawn from circulation, and this could not happen without causing great distress, and a great alteration of circumstances. The value of the stockholder's property was increased, while that of the landholder was equally depressed. He wished, therefore, to press it on the house, that it was absolutely necessary to revert to some currency less liable to such alarming fluctuation. If we included the exchequer bills, we should find that nearly forty millions had been suddenly withdrawn from circulation. The hon. gentleman concluded by stating that his particular object in rising was to deprecate any further resort to the property tax.

Mr. *Baring* condemned the admixture of varied and distinct topics, which characterised the speech of the chancellor of the exchequer. This sort of jumble he was convinced was merely intended as a lure to ensure the support of the landholder to the general system of the minister. On the subject of the agricultural interest he would now be silent, as that question would, in a few days, come more regularly before them. On the corn law system he would be also silent; except merely to state, that his former opinions were not only unchanged, but confirmed by subsequent events. The agricultural interest was confessedly oppressed, and entitled to relief, but a relief proportioned to that afforded to the other classes of the community. It should have a specific concession; and when it clearly produced no profit, like the merchant or manufacturer, it ought to have an exemption from a suitable proportion of the burthen to which it was exposed by the property tax. The tenant, in particular, was entitled to this allowance; indeed, by the treasury letter circulated during the recess, government seemed conscious of the necessity of doing something of this kind; but they rendered their avowed intention nugatory, by confining the proposed relief to a certain class of tenants under lease to their landholders, overlooking the plain fact, that the uncertain state of things between the parties for the last few years had prevented any matured arrangement which could bring them within the letter of the proposed concession. As to the mode of relieving the agricultural interest, if it could be done by a loan of exchequer bills, as in mercantile affairs, he could see no reason why they should not be advanced. But he greatly feared this could not be done in the one case as in the other, with any thing like a similarity of benefit, and he still more apprehended that the small concession of agricultural taxes now held forth, was merely meant as a bait to induce one class into an acquiescence of a system, the result of which would prove equally oppressive to all. The right hon. gentleman had claimed credit for the statement he had brought forward. If he had lost his great battle, we might, perhaps, allow him some credit;

but after such sums had been already voted, and after a war that had continued but a few weeks, he was suprised that the demand should be so considerable. The right hon. gentleman said that 21 millions of exchequer bills, and 21 millions of old claims, had been liquidated. This was not a saving of 42 millions, but only of 21; for the other 21 were provided for last year. The artifices employed by the right hon. gentleman could not be clearly seen through till he brought to our astonished minds the view of the establishment. If we recollected the peace establishment of last year, it was only 17 millions for England, and 19 for England and Ireland. After this, upon Buonaparté's landing in France, what was the excuse for war? Truly, because we could not have a peace establishment with Buonaparté on the the throne; even before that, it was alleged, that though the Bourbons were on the throne, they were endangered by a mutinous army; but now, when we had got the better of all this; when the Bourbons had not 10,000 men at their disposal, and that 10,000 they dared not embody; when we had all Europe for our allies; when not a whisper of apprehension was breathed, we were called on for an establishment five times greater than ever was known in time of peace before. He trusted the House would not be a party to so scandalous a measure; if they were, they would, by such a dereliction of duty, deservedly bring on themselves the utter contempt of the whole British people.

Mr. *Brand* said, it struck him, that the proper subject for consideration on the present occasion was, what shall be the amount of the permanent establishment of the country? When he heard from the chancellor of the exchequer that there was only to be a reduction of the war taxes to the amount of seven millions, that one half of the income tax was to be continued, and that even in profound peace we were to maintain a military force of 99,000 men, from which we had no chance of relief, it struck him with amazement that any set of ministers should propose such an establishment, after the burthens which the people had so long patiently borne, and the general distress which prevailed. That he had not stated the proposed amount of our military establishment too high, clearly appeared from this —that the chancellor of the exchequer mentioned the amount of the force required for Great Britain at 25,000 men; for Ireland at 25,000, and 49,000 for our colonies, including the army in France: and this the right hon. gentleman stated at the very time when he professed he saw the prospect of security at home, and general tranquillity abroad. Why, then, was this enormous taxation to be continued for so unnecessary, so unconstitutional a purpose, as the support of such an immense standing army? He wished to abstain, at present, from entering into any discussion as to the means of raising the supplies. This, however, he must say, that whatever pledge was given to the public creditor, that the sinking fund should be held sacred, a pledge equally strong had been given to the country that the war taxes, and especially the income tax, should be discontinued on the arrival of peace. To appropriate, therefore, a part of the sinking fund to the supplies of the year, would not be a greater breach of faith to the fundholder, than the continuance of the war taxes was to the country. But if this was deemed objectionable, then he would say, relieve the difficulties under which the people labour by small loans, till the expenses of the state shall be reduced. The faith of parliament was as much pledged to the reduction of the war taxes, as to the inviolability of the sinking fund, which the chancellor of the exchequer himself had already broken. He conjured the house to pause before it consented to the financial measures proposed by ministers: it would inevitably forfeit all the remaining confidence of the public, if it consented to perpetuate the war taxes, and especially the income tax. Such was the situation of the people at large, that they must have relief from the burthens which they had long patiently borne; and in this view the trifling reduction of the farmer's income tax, and of the tax on horses employed in agriculture, held out as a boon by the chancellor of the exchequer, was perfectly inadequate to the purpose. He said, he was anxious to press upon the House that taxation was the main cause of all the distress which prevailed among the agricultural classes, and that nothing but a reduction of the taxes could restore the people of this country to that state of comfort and enjoyment which they had a right to expect after so many sacrifices.

Mr. *Yorke* protested against the language made use of by gentlemen on the other side of the House, and more especially by the hon. gentleman who had spoken last. They seemed to wish to have it understood, that the establishment proposed this year was a permanent establishment. Now, if he had understood his right hon. friend, his proposal related merely to the establishment for the present year, and the permanent military establishment was to come afterwards under the consideration of the House. It was not to be expected that in the first year after the termination of a long war the country could at once be brought to a state so desirable. Had we at once gained the regular peace establishment so soon after the close of former wars? After the American war, Mr. Pitt had called for extraordinary aids for the next three years. He did not hope to see the country brought to its proper peace establishment before the year 1786, the peace having been concluded in 1783. He was anxious that the question, as to the extent of the force to be kept up during the peace, should receive the fullest consideration of that House. Heretofore, the improvident narrowness of the peace establishment, had, as it appeared to him, caused much of the subsequent difficulties of the wars in which the country had been engaged. On the present occasion he trusted this error would be carefully avoided. But when he said this, did he wish for an extravagant peace establishment? No. All he wished for was an establishment suitable to the character of the country. What had been sufficient in former times, would not do for what the nation had now become. First, it was proper that our extended possessions should be looked to, that a just idea might be formed of the forces necessary to keep them securely ours; and we ought then to look at the warlike feelings excited throughout Europe, which could not speedily subside. In saying this, he did not mean to speak against the peace—the peace was the most glorious to be found in our annals, and he hoped those who with him had witnessed the vicissitudes of the last contest would live to see war no more. But he was convinced the way to see war no more, was to keep the country well armed, and ready to repel the attacks of its enemies—for enemies it had (as a nation like England ever must have), not only in Europe, but in other parts of the world. Protesting against the attempts which he had risen to oppose, he should not now go into the question of what ought to be the permanent peace establishment; but this he would say, that no measure of precaution ought to be neglected. Though Buonaparté's army was now disbanded, no man could say that it might not one day rise from its ashes. The English army now in France, of which so much had been said, it ought to be remembered was no great burthen to this country, as it was not paid by the British, but by the French government. The army of the East-India Company, too, was not maintained at the public expense. That part of the military force to be kept up, which it was most painful to contemplate, was the army of Ireland; but the necessity for keeping troops in that country, could not be questioned. In future years (in a year or two hence, he meant), it would be for the House to consider what ought to be the peace establishment of the country, and within that period he hoped a great diminution of the public expenditure would take place.

Lord *Nugent* thought that gentlemen could not too early protest against this enormous and unconstitutional establishment, which was altogether unprecedented in the history of our country, an establishment such as our best writers and statesmen had always considered as unnecessary and dangerous to the liberties of the country. Those gentlemen who were not in the secrets of government, had all fully participated in the surprise which he had felt on hearing that an establishment, in time of peace, of 99,000 was to be borne by this country. With respect to the credit which his Majesty's ministers and their adherents took for procuring such a large force as 30,000 to be supported by France, he thought this was the very worst feature of the whole. He knew no control possessed by parliament over the army but from the provisions in the mutiny act and the power of withholding its support. In the first case he did not see how an army employed in France could be controlled by parliament; and the second control had also been taken out of their hands. And this army of 30,000 men, placed beyond the control of parliament, was no farther from us than a country within a few miles of our own shores. Good God! did not parliament declare that the compact with the people was broken by king James 2, by the dispensing power to which he laid claim; and yet this proper dispensing power, this army in French pay, but under the command of a British king, was now proposed to the House as a subject for their congratulation!

Mr. *Jones* said, he had been in hopes that, in the continuance of the income tax as proposed, annuitants and others would have met with further indulgence The removal of the horse tax, he conceived, would do little to alleviate the distresses of the farmers. It appeared to him, that the tenants' income tax was originally proposed on an exaggerated scale of their profits, at least as far as related to Wales. In that part of the country he knew farmers were rented to the amount of 200*l.* and 300*l.* a year, and who yet were under the necessity of working as hard as any of their servants, who lived in the most miserable cottages and on the hardest fare, and who, in addition to the poor-rates, had to pay the income tax, formed on an exaggerated estimate of their profits.

Mr. Alderman *Atkins* was of opinion that the repeal of the usury laws would not produce the effect intended. He said, he was disposed to place confidence in ministers, in regard to the amount of the establishments of the country; but he wondered how the chancellor of the exchequer could propose the continuance of the income tax, when parliament stood pledged to the contrary. If the right hon. gentleman persisted in this measure, he trusted it would undergo considerable modifications.

Lord *Castlereagh* was anxious to lead the attention of the House to the question now before it; from the consideration of which it had been drawn by the course of the debate. He thought, from the parliamentary dexterity which had been displayed by the gentlemen opposite, that the speech of his right hon. friend, the Chancellor of the Exchequer, did not appear to be perfectly understood. At the conclusion of what was admitted to be a most glorious peace, his right hon. friend had called for supplies to meet the charge of the first year, amounting to 29 or 30 millions. But, because such a sum was now required, this was to be considered as the charge of the permanent peace establishment. Many of the grants now necessarily called for had nothing at all to do with the peace; were, in truth, as much voted for war as any of the sums moved for at the close of the last session of parliament. Any gentleman acquainted with the nature of public business, and who looked at the state of the country with an official eye, could not but perceive, that it was impossible to come all at once to a peace establishment. With our naval and military means spread over so vast a theatre, it stood to reason, a long time must elapse before this could be completely effected. It must take a considerable time to disembody the militia; a more extended period must be allowed the breaking up any part of our regular military establishments; and one still longer for the reduction of our navy. He admitted that the army was the great feature on which the House would have to debate. But here it should be considered that there was a large force of 40,000 or 50,000 men, many of whom had only just arrived, or were arriving in the country, that would cost at least 1,200,000*l.* for the present year, even though they were discharged the moment the hand of office could operate upon them. For the navy, in the present instance supplies would be required for 33,000 men: but this number would be diminished in the course of the year, as it was not intended to keep up a force of more than 23,000. Here would be a saving of 10,000 men, which would take off at least two millions from the seven millions which was now set down as the estimated expense of the navy. His right hon. friend had called for 1,500,000*l.* for re-payments to be made to the Bank; but this of course would not be an annual charge. His statement also comprised 2,000,000*l.* to pay off the interest of exchequer bills, a sum greater than what would hereafter be necessary for such a purpose, when that mass of bills were taken up which it was the intention of government to discharge. For the miscellaneous services, 2,500,000*l.* were called for, and 2,000,000*l.* for the ordnance; but these, like the former, were not to be viewed as permanent charges. If he were to follow the estimates throughout, he doubted not he could point out many other items with respect to which a similar observation might be made. He might mention the East India military debt; but he had already pointed out at least eight or nine million which might be deducted from the supposed amount of the permanent expenditure of the country. It had not occurred to the hon. gentleman opposite to make these remarks, because they chose to argue on the supposition that the present charge was to be that of the regular peace establishment. It was curious to observe in what a different situation they had been pleased to put the country this evening, from what they usually described as that which belonged to it. It was common for them to represent it to be in the most alarming state, to show the conduct of its allies suspicious, and the peace altogether lamentably insecure. But they had turned round to night and stated our situation to be so happy, and the peace so little likely to be disturbed, that a military force was not wanted for our security. He, for his own part, could not go quite so far as they did on this occasion. He was decidedly against lulling ourseleves into a belief that while the other powers of Europe kept up formidable armies, this was the only country which could do without the support of a military force. When other states took an attitude so imposing, prudence demanded a corresponding exertion on our part. At the same time he wished no inordinate establishment to be kept up, and at the proper time he purposed to go through that now recommended by ministers, and compare it in every part with that of 1792, and show the reasons which had influenced the conduct of government wherever that was departed from. Certainly he could not recommend such an establishment as that of 1792; it had often been spoken of by Mr. Pitt himself with much regret. He had stated himself to have been at that time much deceived, as another great statesman of that day had been, when he was led to consider France as in a manner blotted from the chart of Europe, and he knew Mr. Pitt had lamented nothing more than that he should have suffered the peace establishment of 1792 to be fixed on so low a scale. The noble lord deprecated such a course on the present occasion. If the expense was considered, and the strong measures which had been resorted to in order to raise that army which had finally conquered peace, were borne in mind, he hoped the House would be most careful to guard against such a state of things as would again subject us to the necessity of making those stupendous and unnatural efforts to create a military force, to which we had once been obliged to submit.—He should now take a view of the peace establishment of 1802. At that period it was thought expedient to keep up a force of 23,000 men for Ireland, and 43,000 for England. With respect to Ireland, however ripe she might be for that great measure which he wished adopted for her relief, he could not expect that it would effect a change so rapidly in her feelings and situation as to make the pretence of the force now proposed to be kept up in that country unnecessary. If this were admitted, and no objections were made to the number of troops for Ireland, it would be seen that the army to be maintained in England was less than that which parliament had agreed to support in the year 1802; and indeed lower than he should think it ought to be, if he did not consider the force now in France completely at the command of this government. That army would at least serve as our vanguard, if hostilities should be commenced abroad; it served to guard the peace from violation, and performing that service, almost at their own doors, could if necessary be brought home in the course of a few hours. He would ask those who highly praised the peace establishment of 1792, if they would be disposed to break up our present military institutions? If they did not wish to preserve our military schools; our dock-yards; our fortifications; our ordnance establishments: If they did not wish to keep the colonies we had acquired in war, why then, it should seem, they desired that we should depart from the high situation we now held in Europe. He wished the House to look at this question with a calm and cool understanding. He held the subject to be most important, and was anxious that it should receive due consideration. If they were to give up the colonies which the country had acquired in war, and the other objects which he had enumerated, then the army might be reduced to that scale which the gentlemen opposite were inclined to recommend: but if the value of these things were felt, it would be for ministers to look at them as statesmen, and to act accordingly, with a determination to uphold the greatness of the empire. The internal service of the country would alone require between 13 and 14,000 infantry to serve in the garrisons, dock-yards, and other places where the presence of a military force was necessary. Great part of the revenue even depended upon their being employed, and if by mistaken economy, their services were dispensed with, the legislature would be obliged to impose more taxes, and heavier burthens than would be necessary, if those in being were properly enforced by a powerful administration. Though the total force to be kept up for the present might be fixed at 98 or 99,000, there would not be this effective force maintained, nor any thing near it. One tenth at least must always be deducted from it for non-effectives; and therefore a smaller force would not be equal to all the duties to be performed. When this branch of the question came to be more particularly gone into, he would submit to the House what he thought would prove satisfactory reasons for the proposed arrangements. In the estimate he thought there was nothing too high; but if any thing could be lowered in them, nobody would be more relieved than ministers, at finding this practicable. When the increased expense of the army was mentioned, it should be remembered, it did not so much arise from the increased number of men, as from the augmented pay and pensions which the soldiers and officers now received. An army was not the same expense now as it was in 1792, or even in 1802, the pay having been doubled since the former period, and the price of every thing connected with a military force greatly advanced since the latter. Gentlemen opposite had deprecated the continuance of any of the war taxes. These amounted to twenty-four millions. How was it possible to take them off at the present moment? He was anxious that the House should be convinced that government had no other interest in view than that of the country. They must feel that to drag on unnecessary and unwieldy establishments, year after year, could not ultimately answer their purpose. If ministers wished to keep their places, as it was generally supposed they did, they would rather be disposed to err on the side of economy, than to fall into the opposite error. They were, however, resolutely fixed not to mislead the public, by delusive plans of retrenchment, but persevering in those principles which they had hitherto professed, it would be the object of their ambition to establish the prosperity of the country, on its greatness, on its strength.

Mr. *Ponsonby* reprobated the arguments of the noble lord, that because the other nations of Europe kept up large military establishments, it was necessary that England should do the same. The noble lord who had of late resided so much on the continent, and had imbibed so many continental customs, seemed almost to have forgotten that England was an island. The noble lord in his predilection for continental systems of government, seemed to wish that Great Britain should follow the example of the great military powers of Europe; that a large standing army should be maintained, to supersede the ancient and acknowledged authorities. If the noble lord succeeded in persuading the House so far to imitate foreign nations, he would soon, without much difficulty, be able to perfect the resemblance by extinguishing the few remaining sparks of constitutional liberty in the country.

The several resolutions were then put from the chair and agreed to. Sir G. Warrender rose for the purpose of moving the resolutions respecting the navy, but the cries of adjournment were general, and it was formally moved by lord Ossulston. After some conversation between Mr. Ponsonby, sir G. Warrender, and lord Castlereagh, the latter consented to the postponement of the resolutions until Wednesday.

HOUSE OF LORDS.

Tuesday, February 13.

PEACE ESTABLISHMENT.] Lord *Grenville* said he had come down to the House to give a notice for to-morrow, of his intention to move for the Estimates of the Military Establishment for the present year. It was not usual, on giving a notice, to enter into any details upon the subject of the motion, nor should he, at all events, do so now, in consequence of the absence of the noble earl at the head of his majesty's councils. He could not, however, help adverting to the rumours which had gone forth upon the subject of the peace establishment—rumours which must make a deep impression upon every member of this distressed community—rumours which even he could scarcely yet believe—that in this year of peace there was to be a peace army of 150,000 men, and that the sum for the maintenance of the peace establishment was to be little short of thirty million, whilst our former peace establishment was only 40,000 men, with an expenditure of between five and six million. He should say no more now upon this subject, but merely move that their lordships be summoned for to-morrow.—Ordered.

The Marquis of *Lansdowne* said, he had intended, if the noble earl at the head of the treasury had been present, to ask some questions respecting certain rumours which had gone forth, involving questions of high constitutional importance, and it would depend upon the answers he should receive in what way he should shape a motion. He alluded to the rumours of what had passed in another place, according to which, the sums to be paid by France under the treaty concluded with that power, were not the property of the country but of the sovereign, and that by the special grace and favour of the Crown they had been re-granted for the public service. It became of the greatest importance, in a constitutional point of view to ascertain whether the treaty had been so concluded, that these sums given in lieu of territorial cessions, were actually the property of the Crown, and not of the country; and that the people were to be indebted to the grace and favour of the Crown for a re-grant of them for the public service.

HOUSE OF COMMONS.

Tuesday, February 13.

Papers relating to the Convention for the Evacuation of Paris.] Mr. *Lushington* presented to the House, pursuant to their Address to the Prince Regent, the following

Papers relating to the Convention for the Evacuation of Paris.

Extract of a Dispatch from Field Marshal the Duke of Wellington to the Earl Bathurst, dated Gonasse, July 4, 1815.

The enemy sent to desire that the firing might cease on both sides of the Seine with a view to the negociation, at the palace of St. Cloud, of a military convention between the armies under which the French army should evacuate Paris. Officers accordingly met on both sides at St. Cloud; and I enclose the copy of a military convention which was agreed to last night, and which has been ratified by marshal prince Blücher and me, and by the prince of Echmühl on the part of the French army. This convention decides all the military questions at this moment existing here, and touches nothing political.

General Lord Hill has marched to take possession of the posts evacuated by agreement this day, and I propose to-morrow to take possession of Montmartre.

(In the Duke of Wellington's, of the 4th July 1815.)

Translation.

This day the 3d of July 1815, the Commissioners named by the Commanders in Chief of the respective Armies, that is to say, the Baron Bignon, holding the Portefeuille of Foreign Affairs; the Count Guillemont, Chief of the General Staff of the French Army; the Count de Bondy Prefect of the Department of the Seine, being furnished with the full powers of his Excellency the Marshal Prince of Echmühl, Commander in Chief of the French Army, on one side;—and Major General Baron Muffling furnished with the full powers of his Highness the Field Marshal Prince Blücher, Commander in Chief of the Prussian Army;—Colonel Hervey furnished with the full powers of his Excellency the Duke of Wellington, Commander in Chief of the English Army, on the other side,—have agreed to the following Articles:

Art. I. There shall be a suspension of arms between the allied armies commanded by his highness the Prince Blücher, and his excellency the duke of Wellington, and the French army under the walls of Paris.

Art. II. The French army shall put itself in march to-morrow, to take up its position behind the Loire: Paris shall be completely evacuated in three days; and the movement behind the Loire shall be effected within eight days.

Art. III. The French army shall take with it all its material field artillery, military chest, horses, and property of regiments without exception. All persons belonging to the Dépôts shall also be removed, as well as those belonging to the different branches of administration which belong to the army.

Art. IV. The sick and wounded, and the medical officers it may be necessary to leave with them, are placed under the special protection of the commanders in chief of the English and Prussian armies.

Art. V. The military and those holding employments, to whom the foregoing Article relates, shall be at liberty, immediately after their recovery to rejoin the corps to which they belong.

Art. VI. The wives and children of all individuals belonging to the French army shall be at liberty to remain at Paris. The wives shall be allowed to quit Paris for the purpose of rejoining the army, and to carry with them their property and that of their husbands.

Art. VII. The officers of the line employed with the Federés, or with the Tirailleurs of the national guard, may either join the army or return to their homes or the places of their birth.

Art. VIII. To-morrow the 4th of July at mid-day, St. Denis, St. Ouen Clichy, and Neuilly, shall be given up. The day after to-morrow, the 5th, at the same hour Montmartre shall be given up. The third day, the 6th, all the Barriers shall be given up.

Art .IX. The duty of the city of Paris shall continue to be done by the national guard, and by the corps of the Municipal Gendarmerie.

Art. X. The commanders in chief of the English and Prussian armies engage to respect, and to make those under their command respect the actual authorities, as long as they shall exist.

Art. XI. Public property, with the exception of that which relates to war, whether it belongs to the government, or depends upon the municipal authority, shall be respected, and the allied powers will not interfere in any manner with its administration and management.

Art. XII. Private persons and property shall be equally respected. The inhabitants and in general all individuals who shall be in the capital, shall continue to enjoy their rights and liberties without being disturbed or called to account, either as to the situations which they hold or may have held, or as to their conduct or political opinions.

Art. XIII. The foreign troops shall not interpose any obstacles to the provisioning of the capital, and will protect on the contrary, the arrival and the free circulation of the articles which are destined for it.

Art. XIV The present convention shall be observed, and shall serve to regulate the mutual relations until the conclusion of peace. In case of rupture, it must be denounced in the usual forms, at least ten days before-hand.

Art. XV. If difficulties arise in the execution of any one of the Articles of the present Convention, the interpretation of it shall be made in favour of the French army and of the city of Paris.

Art. XVI. The present Convention is declared common to all the allied armies, provided it be ratified by the powers on which these armies are dependant.

Art. XVII. The Ratifications shall be exchanged to-morrow the 4th, of July, at six o'clock in the morning at the Bridge of Neuilly.

Art. XVIII. Commissioners shall be named by the respective parties, in order to watch over the execution of the present Convention.

Done and signed at St. Cloud, in triplicate, by the Commissioners above-named the day and the year before mentioned.

(Signed) *The Baron Bignon.*
Count Guilemont.
Count de Bondy.
The Baron de Muffling.
F. B. Hervey, Colonel.

Approved and ratified the present suspension of arms, at Paris, the 3d, of July 1815. (Signed)
Marshal The Prince D'Echmühl.

DISPATCH from Earl Bathurst to the Duke of Wellington; Downing-street, 7 July 1815.

War Department, London, 7th July 1815.

My Lord;—Although your Grace has stated distinctly that the Convention entered into by you and Marshal Prince Blücher on the one hand, and certain French authorities on the other, upon the 3d instant, while it decided all the military questions had touched nothing political; and, although it cannot be imagined that in a Convention negociated with these authorities, by Prince Blücher and your Grace, you would enter into any engagement whereby it should be presumed that his Most Christian Majesty was absolutely precluded from the just exercise of his authority in bringing to condign punishment such of his subjects as had, by their treasonable machinations and unprovoked rebellion, forfeited all claims to his Majesty's clemency and forbearance; yet, in order that no doubt should be entertained as to the sense with which this Article is considered by the Prince Regent, in conveying his entire approbation of the Convention, I am commanded to state, that his Royal Highness deems the 12th Article of it to be binding only on the conduct of the British and Prussian commanders, and the commanders of such of the Allies as may become parties to the present Convention by their ratification of it. I have, &c.

(Signed) BATHURST.

DISPATCH from the Duke of Wellington to Earl Bathurst; dated Paris, 13th July 1815.

My Lord;—I have had the honour of receiving your lordship's letter, marked 'separate,' of the 7th instant, regarding the Convention of the 3d. The convention binds nobody except the parties to it; viz.—The French army on one side, and the allied armies under Marshal Blücher and myself on the other; and the 12th Article cannot be considered, and never was intended, to bind any other persons or authorities whatever, unless they should become parties to the Convention. I have, &c.

(Signed) WELLINGTON.

ACCOUNT OF THE WEEKLY AMOUNT OF BANK NOTES IN CIRCULATION FROM JAN. 1814 TO JAN. 1816.] Mr. Hutchinson presented, pursuant to order, the following

Account of the Total Weekly Amount of BANK NOTES, and BANK POST BILLS, in Circulation, from the 1st of Jan. 1814, to the 1st Jan. 1816.

1814		£
January	1	25,981,750
	8	25,913,610
	15	25,421,030
	22	25,122,910
	29	25,254,360
February	5	24,817,550
	12	24,950,400
	19	24,802,820
	26	25,095,410
March	5	24,834,950
	12	24,657,050
	19	24,905,880
	26	25,292,690
April	2	25,129,800
	9	27,138,890
	16	25,720,770
	23	25,552,250
	30	25,798,320
May	7	25,382,300
	14	25,365,350
	21	25,744,830
	28	25,923,510
June	4	26,007,730
	11	26,953,730
	18	25,574,600
	25	25,948,740
July	2	26,304,390
	9	29,532,910
	16	30,117,190
	23	28,601,640
	30	29,245,360
August	6	29,089,690
	13	29,108,570
	20	28,709,710
	27	28,763,210
September	3	28,681,200
	10	28,356,210
	17	27,987,920
	24	27,820,660
October	1	28,672,350
	8	27,662,310
	15	29,224,020
	22	28,225,480
	29	28,038,250
November	5	28,108,500
	12	27,825,140
	19	27,504,860
	26	28,232,740
December	3	27,789,070
	10	27,287,650
	17	27,337,950
	24	27,724,660
	31	27,927,720
1815		
January	7	26,339,650
	14	28,886,080
	21	28,199,070
	28	27,923,930
February	4	28,258,620
	11	27,597,730
	18	26,935,820
	23	26,673,370
March	4	26,799,400
	11	26,552,660
	18	26,541,320
	25	26,872,000
April	1	26,668,170
	8	27,771,190
	15	28,039,700
	22	27,290,860
	29	27,479,840
May	6	26,894,450
	13	27,196,220
	20	27,022,040
	27	26,780,740

1815		£
June	3	26,878,130
	10	26,651,900
	17	26,069,600
	24	26,432,270
July	1	27,296,580
	8	28,182,340
	15	27,326,640
	22	26,916,630
	29	27,428,740
August	5	27,143,660
	12	27,233,060
	19	27,155,230
	26	27,004,050
September	2	27,065,190
	9	27,102,840
	16	26,640,520
	23	26,516,110
	30	27,388,600
October	7	26,522,960
	14	27,411,120
	21	26,706,810
	28	26,373,170
November	4	26,828,520
	11	26,376,720
	18	25,854,250
	25	25,770,420
December	2	25,619,450
	9	25,047,400
	16	25,006,330
	23	25,823,100
	30	25,629,480

Bank of England,
13th February 1816.

W. HUTCHINSON,
Deputy Accountant.

An ACCOUNT of all ALLOWANCES made by the Public to the Bank, or charged by the Bank against the Public,—exclusive of the Charge for the Management of the Public Debt,—for transacting any Public Service in the Year 1815; describing the Nature of the Services, and the Amount charged thereon in the said Year.

	£.	s.	d.
CHARGE for receiving Contributions on the Loan of 7,008,089*l.* 3*s.* 6*d.* for the Service of the Year 1815; at the Rate of 800*l.* per Million...	5,606	9	5
Do. - - Do. - - on the Loan of 36,000,000*l.* Do. - at Do.	28,800	0	0
Do. - - Do. - - on two Lotteries, in the Year 1815, for the Service of the Year 1814; at the Rate of 1,000*l.* per Contract	1,000	0	0
Do. - - Do. - - on two - Do. - for the Service of the Year 1815; at Do.	2,000	0	0
Do. - - Do. - - Contributions on the Profits arising from Property, Professions, Trades and Offices, for the Service of the Year ending the 5th April 1815, at the Rate of 1,250*l.* per Million	3,660	1	7
	£.41,066	11	0

Bank of England,
18th March 1816.

H. HASE,
Chief Cashier.

Abstract of the Net Produce of the Revenue in the Years ending 5th Jan. 1815, and 5th Jan. 1816.] Mr. Lushington presented the following

ABSTRACT of the NET PRODUCE of the REVENUE, in the Years ending 5th January 1815, and 5th January 1816; distinguishing the Quarters: and also, the TOTAL PRODUCE of the CUSTOMS and EXCISE.

	QUARTERS Ending				YEAR Ending	QUARTERS Ending				YEAR Ending
	5 April 1814.	5 July 1814.	10 Oct. 1814.	5 Jan. 1815.	5 January 1815.	5 April 1815.	5 July 1815.	10 Oct. 1815.	5 Jan. 1815.	5 January 1816.
CUSTOMS:	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.
Customs,...Consolidated	1,211,507	576,590	1,567,749	1,582,453	4,938,299	1,288,038	1,016,375	1,458,946	1,128,119	4,891,478
Do. Annual Duties	54,181	255,876	1,507,353	800,591	2,618,001	54,248	611,350	1,220,465	583 081	2,469,144
Do. War Taxes -	590,682	576,373	1,142,602	1,193,367	3,503,024	635,947	793,695	927,789	769,469	3,126,900
Total produce of Customs	1,856,370	1,408,839	4,217,704	3,576,411	11,059,324	1,978,233	2,421,420	3,607,200	2,480,669	10,487,522
EXCISE:										
Excise, - Consolidated	4,192,014	4,328,057	4,975,216	4,815,885	18,311,172	4,674,768	4,708,942	5,029,476	4,938,770	19,351,956
Do. Annual Duties	10,947	46,930	114,896	307,125	479,898	6,290	107,022	138,118	344,520	595,950
Do. War Taxes - -	1,172,046	1,408,540	1,960,688	1,813,267	6,354,541	1,199,218	1,493,091	2,098,917	1,823,300	6,614,526
Total produce of Excise	5,375,007	5 783,527	7,050,800	6,936,277	25,145,611	5,880,276	6,309,055	7,266,511	7,106,590	26,562,452
Stamps - - - - -	1,321,867	1,410,320	1,459,855	1,400,531	5,598,573	1,278,576	1,383,944	1,686,515	1,516,378	5,865,413
Post-office - - - -	335,000	355,000	405,000	355,000	1,450,000	411,000	396,000	387,000	354,000	1,548,000
Assessed Taxes - - -	717,926	2,533,972	577,008	2,582,765	6,411,671	614,861	2,514,392	564,391	2,521,343	6,214,987
Property Tax - - -	5,009,901	2,059,252	5,112,081	2,037,119	14,218,333	4,869,912	2,155,021	5,196,955	2,096,684	14,318,572
Land Taxes - - - -	119,817	432,805	145,368	431,233	1,129,223	104,949	447,548	143,891	383,605	1,079,993
Miscellaneous - - -	83,590	126,500	69,169	137,984	417,246	58,160	80,139	73,503	150,065	366,867
Annual Duties on Pensions, &c. -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	16	16
	7,588,101	6,917,832	7,768,481	6,950,632	29,225,046	7,337,458	6,977,044	8,057,255	7,022,091	29,393,848
Total Net Revenue - -	14,819,478	14,110,198	19,036,985	17,463,320	65,429,981	15,195,967	15,707,519	18,930,966	16,609,350	66,443,802

The Irish and Portuguese Payments, for the Interest on their respective Debts, payable in England, are excluded from this Statement; and the WAR TAXES appropriated to the Interest of Loans charged on them, are included under the head of WAR TAXES.

Whitehall, Treasury Chambers, 13 February 1816.

S. R. LUSHINGTON.

PETITIONS FROM THE CORPORATION AND LIVERY OF LONDON RESPECTING THE PROPERTY TAX.] The Sheriffs of London presented at the bar a Petition of the Lord Mayor, Aldermen and Commons of the city of London, in Common Council assembled, setting forth,

"That the petitioners have learnt with the most serious alarm, that it is the intention of his majesty's ministers, in violation of their assurances, and the solemn faith of parliament, to propose to the House the continuance or modification of the tax upon income, commonly called the property tax; and that, having so frequently represented to the House their abhorrence of the measure, both with respect to its principle and operation, and the evils it had produced, they trust it is not necessary, neither would it be possible, within the limits of a petition, to enumerate the grievances resulting from it; and they beg leave to state, that none of these evils have abated; that painful experience has only served the more strongly to root upon their minds a conviction of its injustice, vexation, and oppression; and that, under the present act, notwithstanding it was held out that the inquisitorial vexations would be obviated by taking for the basis of taxation the assessments of the former year, the provision in the act was rendered altogether nugatory; for the surcharges and assessments of the former year were suspended until the passing of the present act; when immediately after, surcharges and assessments were commenced with more rigour and severity, they believe, than at any former period; and that the partiality and injustice of taxing, in the same proportion, incomes of a short duration, arising from personal industry and temporary and uncertain sources, and those arising from fixed and permanent property, is, they conceive, too evident to be denied, and must be immediately perceived and felt by the House; and that the manner in which the said tax is carried into execution, by means of an odious, arbitrary, and detestable inquisition into the most private concerns and circumstances of individuals, is still more vexatious, unjust, and oppressive, hostile to every sense of freedom, revolting to the feelings of Englishmen, and repugnant to the principles of the British constitution; and that the petitioners are deeply sensible of the depressed state of the agricultural interests, and of the ruinous effect of such a burthen thereon; they nevertheless beg to state, that the manufacturing and trading interests are equally depressed, and equally borne down with the weight of taxation; and they would particularly impress it upon the consideration of the House, that the latter class of society are still more harassed and oppressed by degrading expositions before these arbitrary inquisitorial tribunals, from which the landed and funded proprietors are exempt; and that such have been the multiplied vexations and oppressions they have experienced, that the tax is become altogether insupportable; and however it may have been reluctantly submitted to under the peculiar circumstances of the times, and as a temporary measure only, the petitioners are persuaded, that had its duration been foreseen, and the arbitrary exercise of the inquisitorial authority fully felt, it never could, even at that period, have been carried into execution; and that, to adopt the said tax upon a reduced scale, would be to make a fatal inroad upon the constitution, and would more effectually lead, by slower but more certain means, to the subversion of the rights and liberties of the people; and that having, during a war of unexampled difficulty, patiently submitted to the most grievous burthens and privations, the petitioners naturally formed expectations, that on the return of peace they should have been relieved from the burthens of war establishments and war taxes; that at least the most obnoxious and oppressive of them would have been removed; and they confidently hoped, that by such reductions in the public expenditure, with the necessary reformations, and the abolishing of all unnecessary places, pensions, and sinecures, there would have been no pretence for the continuance of a tax subversive of freedom, and destructive to the peace and happiness of the people; and praying the House to take these matters into their serious consideration; and that they will be pleased to reject any proposition that may be made for the renewal of the said tax, under any modifications or alteration; and to adopt such measures as may be best calculated to alleviate the public burthens, and promote the liberty, prosperity, and happiness of the people."

Sir *W. Curtis* then said, that he had a similar petition to present from the lord mayor and liverymen of London. He had been present when the petition was agreed upon, and he could bear witness that it had been considered with great temper and moderation, by a very respectable meeting. The citizens of London were convinced that the tax against which they petitioned could only be warranted by the necessities of a war. While those necessities lasted, they had cheerfully borne it, but now they could not with the same cheerfulness support a tax which was in its nature so peculiarly oppressive to the trading part of the community.

The petition was read, setting forth,

"That it appears to the petitioners that the tax upon income, commonly called the property tax, was adopted, under very pressing circumstances of financial difficulty, as a war tax only, and that its first enactment was accompanied by the most unequivocal and solemn declarations that the same should be withdrawn immediately after the termination of the then existing hostilities; and that, having witnessed the restoration of peace, and having been assured by the commissioners of his royal highness the Prince Regent, in their communication to parliament on the opening of the present session, of their conviction that the measures adopted by the allied powers would secure its continuance, the petitioners have observed, with surprise and indignation, that his majesty's ministers have it in contemplation to propose to parliament the continuation or renewal of this most oppressive and odious tax; and that although a reduction should be made in the amount, yet the principle remaining unchanged, the petitioners are decidedly of opinion that its operation would still be most galling to the feelings and spirit of Britons; and that the change from ten to five per cent. so far from being likely to render it less vexatious, will produce the contrary effect, and be the occasion of the most degrading and inquisitorial proceedings, worse, if possible, than have been experienced under the former pressure of this heavy burthen; and that the livery of London, upon the first proposal of this tax, did express, and, since that memorable period, have reiterated in the strongest terms their detestation of a system of taxation so partial and oppressive, and so contrary to the principles of the British constitution; and that the petitioners, feeling the unhappy effect of the unjust and arbitrary exactions which his majesty's subjects have so long endured under this hateful system are convinced that its continuance, under any modification or reduction whatever, will be altogether intolerable; and that to attempt the renewal of a tax so oppressive and unconstitutional, now that peace is obtained, after the loud and united expression of the public opinion, and after the pledge given by administration that it should continue as a war tax only, appears to the petitioners to be a violation of the most solemn engagement, highly irritating to a loyal and generous people, and calculated to produce consequences of the most alarming nature; and praying the House to refuse its sanction to any proposition that may be made for renewing, under any circumstances whatever, a tax so universally detested."

Sir *James Shaw* observed, that the common-hall which voted this petition was legally and constitutionally assembled. There was a very respectable attendance, and all the proceedings were carried on with much temper. With respect to the prayer of the petition, he believed that he spoke not only his own sentiments and those of the common-hall, but also those of the great majority of the citizens of London. The language and the prayer of the petition were also theirs. It appeared to them and to himself that the renewal of the tax was unnecessary, though, during the great struggle which had now closed, they had supported it as being necessary to the prosecution of the war. Now, however, that we had arrived at peace, they thought differently; and the more so, because there was at least an implied pledge between the House and the people, that the tax should cease when peace was restored. He also objected to the tax, because in his conscience he believed that the people could not at present afford to pay it. From every means of information which he could derive concerning the state of the country (many county members of course must know the matter better), he believed that the agricultural interest could not at present afford it. He felt perfectly convinced that the trading interest could afford it as little. He thought, that if there was any other remedy by which the money might be procured, it would be fair to state it. He wished to mention to the chancellor of the exchequer, that he thought it would be a better mode of obtaining the 6,000,000*l.* to make a small loan, and to pay the interest of it out of the sinking fund, by which the country would at least be relieved for one year—a relief which it had a right to expect. Many persons conversant with the money market had told him that such a loan would be productive of no injury, but might, on the contrary, be beneficial.

The petitions were ordered to lie on the table.

COMMITTEE OF SUPPLY—PEACE ESTABLISHMENT.] Mr. Brogden having brought up the Report of the Committee of Supply, the Chancellor of the Exchequer moved, that the Resolutions be now read. On the first Resolution being put,

Mr. *Wynn* expressed his entire dissent from the financial plan which had been last night developed by the chancellor of the exchequer. He dissented from the whole scale of establishments there laid down. He said, he had throughout the war supported ministers in their measures for effectually carrying on the war, and had objected to all premature proposals of peace, because on all former occasions he had been persuaded that a peace, if concluded, could not be durable, that it would be but an armed truce, and therefore that it would be better to carry on the war, till we might enjoy the real blessings of peace—low establishments, and a general reduction of expenditure. But what had we now? We had a large war establishment under the name of peace—we had 149,000 men in arms—a military force four times that which had ever before been kept up in time of peace. We were told that our conquests needed garrisons. This surprised him, because on former occasions he had rejoiced in those conquests, not on the ground of the assistance they would give our trade—for we had colonies enough before—but because by taking from the French their military positions, we should require smaller garrisons in our own settlements. In how much superior a situation were we now to that in which we stood at the close of the American war. France had then a navy equal to our own—Holland had also a navy, and was in the French interest—Spain was in the same situation—Austria was connected with France by marriage, and followed the steps of that country—Prussia was in the same connexion. But now the French navy was no more—the army of France was disbanded—no nation in Europe had a fleet. Yet we were to have a peace establishment quadruple that which was deemed sufficient at the former period. Now, both in the East and West Indies a smaller force would be necessary than formerly. We had possession of the Mauritius, which made the East Indies more secure; and as for the West Indies, it would be hard to say that the French could build a navy and equip an armament for that part of the world, before we could send one to meet it. However, in Jamaica there were to be 4000 men, though in all the years after the American war there had never been more than 1900 men. Some explanation should be given, why such increase of our establishments was necessary. Why might not our establishments be reduced below what they were after the American war? There was, it seemed, a union of three great powers, for the professed end of supporting the Christian religion. This was a pretty wide object; but if it had any meaning, it was to maintain peace by mutual pledges, and to enable Europe to return to a general peace establishment. What powers did we now apprehend? America? Were we afraid of her resolution to build one ship every year? Then we might build two. But the main branch of increased expenditure was the army. The expense of the ordnance was to be two millions, which at the period he had alluded to was 318,000*l.* only. The hon. gentleman concluded by expressing his strong disapprobation of the proposed enormous peace establishment; that was the great evil of which he complained, and one against which our forefathers had uniformly directed their steadiest and most persevering efforts.

Mr. *Barclay* said, that as he was one of the first to concur in the enactment of the property tax, at a moment of national exigency, so he was now among the foremost of those who called for its repeal, when the necessity for its enactment no longer existed. He said, he could see no reason against the introduction of a temporary loan. If the surplus of the money-market was not thus employed, it would go into other channels, for it was in vain to deny that many of the foreign loans were negociated in this country; the purchase of Louisiana, for instance, and the late contributions upon France, were, it was understood, in a train of arrangement here. If great relief would follow the reduction of 5 per cent. of the property tax, what would not be the benefit if the whole were repealed? At all events, it could never be collected from landlords whose tenants were unable to pay their rents; from traders, who could make no profits; and from merchants, at an average of five or six years profits, when probably during the last year the produce of the former had been wholly absorbed.

Mr. *Horner* said, he concurred in much of what had fallen from the preceding speaker. He would, however, take that opportunity of asserting, that the people could not be relieved from their present appalling difficulties in any other than one way; namely, by a reduction of the proposed peace establishment. It was in vain to listen to the suggestions of those who recommended a little loan; suggestions which, by the way, might be merely intended to sound the House upon the practicability of such a mode of proceeding. All this was a plain and palpable delusion; the difficulties of the country were most urgent and pressing, they must be met, and if ministers could show that there really existed a necessity for the maintenance of the proposed system, he, for one, would not hesitate to vote for the property tax. But he was firmly satisfied they were totally incapable of establishing that necessity. He had indeed consented to the enactment of that tax during the war, although persuaded of its odious, oppressive, burthensome, inquisitorial character, because he felt the force of that policy which compelled its existence. Those times had now passed away, and the real question for the Commons of England, in the exercise of their sacred trust, was at once to say aye or no to the momentous proposition now submitted to their consideration. Was it necessary to support 50,000 troops for the British isles? Was it necessary to erect a peace establishment of 150,000 men? In his opinion, he would reply, no; and he would affirm and maintain that negative through every part of the details which it was said were to be forthcoming. The situation of the country was not what it had been but a few years ago. Was the necessity of defence, he would ask, greater or smaller than at the period to which he would allude? France, at the close of the American war, had a navy almost at our shores, and superior, perhaps, to the fleets destined for our protection. Spain and Holland had also a maritime strength of no unimportant station. All these external considerations had happily disappeared, the safety of our colonial settlements was also placed on a steady footing, and yet the country was required to keep up a military force of an enormous and most unexampled extent. If such a peace establishment as this were listened to by the people of England, he would predict, in a very few years, from a measure so alien to their system, the downfall of their liberty and constitution. It was nothing less than a project to alter the uniform policy of Great Britain, and to amalgamate her character with that of the military states in Europe, by a total subversion of the principles of her constitution. By the lot of her insular situation, she was by nature a naval and maritime state, and to the preservation and cultivation of the advantages necessarily belonging to that state, she was paramountly bound to adhere. She might, indeed, be dazzled with the newly-acquired glories of her army; she might take her rank with the despots of the continent; but in vain could she expect to prolong the native pride of her free character. The two systems were incompatible. Either the government or the military establishment must give way, and when the question was a struggle for ascendancy between liberty and the constitution on one hand, and power and despotism, upheld by a military establishment, on the other, the warning experience of history proclaimed, that the struggle was short, and the termination most ruinous. Independently of these, to him conclusive reasons, against the adoption of the present measure, the financial state of the country presented an unanswerable argument on the same side. He would therefore protest against it altogether, and insist that it was a mere delusion to talk of expedients, and to hope for a diminution of burthens if the proposed establishment was to be maintained. If the people were to hope for relief, they had but one chance of having their expectations realized, and that was by a reduction of the peace establishment.

The *Chancellor of the Exchequer* said, he felt himself called on to say a few words. In consequence of an expectation held out, he had already given to the House some general information respecting his views of our financial affairs. He was happy to find that gentlemen were likely to come to the approaching discussion with candour. On the question of the necessity of the establishments, the arguments of ministers must stand or fall. The hon. and learned gentleman admitted, that if they could show this necessity, he would allow it, and that it was not by any shuffling expedient that relief could be procured. He (the Chancellor of the

Exchequer) had before said, that we only required a further exertion of that perseverance and firmness which we had displayed during the contest to bring us through our difficulties. As to the propriety of maintaining the proposed establishments, he could only say, that government would be ready to substantiate their propositions, and to discuss the subject candidly. He should therefore make but one more remark; he was rather surprised to hear, when our liberties had been so long upheld, that they would be endangered by an additional force of 25,000 men.

Mr. *Tierney* said, he did not think, as the right hon. gentleman had observed, that the increase of our military establishment from twenty to twenty-five thousand men would be forthwith detrimental to the peace and security of the country. He did not believe that their arms would be immediately turned against their fellow citizens, or that they would be employed to cut our throats. Still he was not the less relieved from the dread which they inspired. He dreaded the power of the Crown, supported by such an enormous establishment, he was alarmed for the danger that ultimately threatened the liberties and constitution of England. He felt this alarm himself, and wished he had a voice to sound it from one end of the nation to the other. The people should be warned of their situation—they should be advertised of the designs their government had in view. The House would disgrace itself, if on such an occasion it did not demand a call of its members. If ever there was a time when the representatives of the people should be universally assembled to examine the measures of administration, and to declare to their constituents the dangers which threatened them, and the way in which those dangers were to be averted, what had occurred last night pointed out this as the period. They should be assembled to oppose the measures in contemplation and to decide upon the monstrous statement delivered by the right hon. the chancellor of the exchequer, within the walls of that House. The noble lord opposite might smile at what he now said. He probably felt himself secure in his situation, he was confident in his overpowering majorities, and might anticipate no danger from within doors. He (Mr. Tierney) trusted, however, that he would not see himself so secure in all quarters, and that an opposition would arise from without which would induce him to change his system. The people must be roused to attend to their own interests; they must be excited to take every constitutional method of resisting schemes which would not only empty the purses, but endanger the liberties of the nation.

The chancellor of the exchequer had admitted, that his hon. and learned friend had argued the question fairly and ably, (as he must be allowed to do every question on which he delivered his opinion in that House), and that he had placed his resistance to the proposed measures upon a proper foundation. His hon. and learned friend had clearly shown that there must be a reduction of our establishments, and that, without such reduction, any attempt to relieve the country by financial palliatives would be a mere deception practised upon the people. He had given it as his opinion, and stated very satisfactory grounds for believing, that there was no necessity for the enormous army which was proposed to be supported. When we had gained so many victories, and acquired so much military glory—when no external enemy could be pointed out as likely to trouble our repose, why were we to be at such an immense expense in maintaining useless troops? When the noble lord had by his negociations pacified Europe; when he had exercised his wisdom in settling the affairs of the continent, and disposed all its states to entertain sentiments of moderation and tranquillity, what pretence could there be for supporting an army of nearly 150,000 men? Had not the noble lord taken credit to himself for the result of his counsels. Had he not received a blue ribband exclusively for his great services on the Continent? And were we now to be told, that the only advantage the country could derive from them was to see their resources wasted, and their liberties endangered by a standing army, upon the pretence that the state of Europe still rendered it necessary for us to maintain a formidable attitude? When the question arose concerning the necessity of an establishment, he would ask what were the advantages secured to us by the noble lord's negociations? When the noble lord came forward with a proposition for maintaining a great army, he would ask, "what then is the use of your blue ribband?" [Loud cries of Hear, hear! and a laugh on the opposition benches.] The situation of the country at present, and its situation in the year 1792 had been compared. The times were indeed changed since then, but these changes had all a tendency to show that our establishments, instead of being prodigiously increased, should be materially diminished. Our army then was not more than a fourth part of what it was now intended to be, while our navy was nearly as great as the present estimate. We had been fighting for these twenty-three years to obtain security; we had gained great victories; we were placed beyond the reach of danger, and yet our army was to be kept up, as if we were on the eve of the most alarming crisis. There was no such intimation with regard to the navy, on which this country had formerly been accustomed to rely for its protection and security. What did this predilection portend? What intention did it point out on the part of the executive? He would not hesitate to say, that in his conscience he believed it was the object of his majesty's ministers to make us a military nation. He would not hesitate to say, that this great peace establishment was the commencement of the execution of a design entertained, to assimilate this nation to the great military powers on the Continent. This system, he believed in his conscience, was the one on which they were bound to act, if they wished to retain their places. His majesty's ministers were bound to support the measure of a great standing army, by the very terms on which they held their office. They might use any fredom with the navy, but they had no power to reduce the army; they might pay off ten ships of the line sooner than disband one regiment of hussars. The progress of this system might be traced for years in all our measures. Every day this propensity seemed to acquire strength. The proper defence of the country, which resided in our navy, was neglected for a more splendid and showy species of force. There was, he confessed, something peculiarly captivating to some persons in the array of a numerous army—in the spirited horses, the splendid equipments, and rich dresses of the cavalry force, and in the brilliant appearance and regular evolutions of great masses of infantry, in all the pomp and parade of a review. He was not surprised that a preference was given, when mere external decoration was concerned, to an officer of hussars, with his fur cap and whiskers, over a plain jolly sailor, who could neither boast of the splendor of his dress, nor the refinement of his manners. The noble lord himself must have seen, that in circles where he had been, composed of high personages, no topic of conversation excited such lively interest or curiosity as his accounts of the reviews at which he had been, the varieties of uniform he had observed, the brilliant manner in which the troops performed their exercises, and the great concourse of eminent persons that were delighted with the spectacle. He must have observed how eagerly he was listened to, while he described the different species of force in the service of our allies—this regiment of guards, that of hussars, and another of cuirassiers. All this might be very captivating, if it could be procured for nothing; but, unhappily, the day of reckoning and payment came, and we had to bear the expenses of these brilliant spectacles.

The right hon. the chancellor of the exchequer could last night keep a firm countenance while he spoke of our taxes and our distresses. He could talk as coolly of millions of pounds as others could do of hundreds. Nothing seemed to move him, in the statement which he gave, as either extraordinary or striking; but he (Mr. Tierney) could conceive nothing more unexpected and alarming. The right hon. gentleman had congratulated the House on the flourishing state of our finances, and had mentioned, as an evidence of this prosperous condition, that instead of being obliged to make any loan this year, there would remain 14 millions arising from the sinking fund, to be applied to the support of public credit. There was, however, one objection to this statement, which was sufficient to destroy the satisfaction which it might otherwise yield. The right hon. gentleman had not disclosed the whole of our condition to the House, and had therefore left an impression that this sum was free of all deductions. Last year there had been about 36 millions by way of loan voted, and 12 millions of this still remained unpaid. This amount of 12 millions was to be placed opposite the 14 millions to which the right hon. gentleman's speech referred, and would nearly neutralize his prosperous statement. He spoke this under correction, as he had not ascertained exactly the sum; but he had reason to believe that if not 12 millions, it amounted to more than 11½ millions. The great loan of last year remained thus nearly one-third unpaid, and if the bank had not agreed to prolong the term of payment, the right hon. gentleman would have no reason to boast of his 14 millions. The bank, he admitted, might have good motives for the assistance they lent to government (and none were more willing than he to do it credit, when he thought it deserved it), and this assistance might be useful to the country without injuring that corporation itself; but the right hon. gentleman had no right to say that the nation was relieved, till every farthing of this was discharged. The bank itself was perfectly secure while omnium stood, as at present, at a premium of between 13 and 15 per cent. Here the right hon. gentleman entered into an explanation, which he conceived might be useful to those who had not particularly attended to the financial arrangements of government, with regard to loans, for the purpose of showing how the instalments are paid during the currency of the year; and proving that the bank could not be a loser by advancing these instalments, while omnium continued at so high a premium as it had done lately. He contended that the right hon. gentleman had not dealt fairly by the House in concealing from its view this unpaid balance of last year's loan, and asked, what good would the throwing of fourteen millions into circulation produce, when twelve millions were to be taken out of it?

With regard to the peace establishment, Mr. Tierney said he would now make a few observations. The supplies for the year were stated at something more than 29 millions; and a great proportion of this sum might be called establishments. There was 23,738,000*l.* of this for our army and navy alone. The noble lord opposite, had given it as his opinion, that a reduction of this sum to the extent of three millions might be expected in future years. He was even disposed to go further, and to anticipate the saving of four millions. Thus the 29 millions required for this year being reduced by the sum of 1½ million paid to the bank, two millions paid in discharge of exchequer-bills, and the 900,000*l.* of debentures, together with four millions that might be withdrawn from the support of the national forces, would leave upwards of 20 millions, which would be the lowest to which it could be expected to arrive. "Well, but," said the chancellor of the exchequer, "of this large sum you have forgotten that more than 2½ millions will be furnished by Ireland." This he considered as fallacy the second, for where was the Irish proportion to come from? He should be glad to hear that Ireland could furnish this supply, and wished to know where the ways and means were to be found. If his right hon. friend, the late chancellor of the Irish exchequer, had been in his place, he would have applied to him for an answer, but not finding him, he would appeal to the British chancellor of the exchequer, and ask what probability there was that this sum could be raised in Ireland as her proportion of the necessary revenue? He did not believe that in her present circumstances, that kingdom could contribute any proportion of the sum imposed upon it; he might almost say, that instead of being able to yield 2½ millions for a peace establishment, it could not afford a single pound. If he were now asked, how Ireland had contributed before to the wants of the state, he would beg gentlemen to recollect that it was principally by loans that her proportion had been paid. Indeed, in such a state was that unfortunate country at present, that Great Britain would be under the necessity of assisting it, rather than receiving any assistance from it. He had no objection that we should even make some sacrifices for the assistance of the sister kingdom, and he would hail the day when she should be able to return the benefit, but he saw no reason at present for believing that either we could advance the Irish contribution, or that Ireland itself could do it.

The right hon. gentleman now begged to make a few observations on the ways and means. He would have given the ministers credit for their conduct, had they followed the more prudent, familiar, and homely course of stating the ways and means before the supplies. He admitted that it was a homely and vulgar rule to count the cost before we entered upon an expensive undertaking; but he nevertheless could not help thinking that there was some wisdom in it; that it was applicable to states as well as to individuals, and might be equally beneficial in the affairs of both. It was easier, however, and more striking, for the right hon. gentleman to come down to the House, and, after giving a pompous description of our victories, after calling for our congratulations on the dignified attitude we occupied among the nations, and telling us of our flourishing condition at home, and the respect in which we were held abroad, to propose a vote for a great navy and army establishment, with all its ordinaries and extraordinaries, leaving the ways and means of paying it for future consideration. What had we now got for the supplies of the year? What appeared to support our establishments, even upon the right hon. gentleman's own showing? Why, there were three millions of surplus grants—and the House heard a great deal of congratulation on so fortunate a circumstance. Mr. Tierney said he was not surprised at this piece of good fortune; he was rather surprised that the surplus was so small. The war did not last above two months, and there was great hurry manifested in refitting the navy. Instead of being so well satisfied with the surplus as to require no further explanation of how the immense sums last year voted were expended, he should demand the accounts with a suspicion that many of them would not meet with his approbation. The right hon. gentleman had said, that 21 millions had been employed in paying off arrears, and seemed to take credit to himself for the gratifying information; but he would ask, was there not a vote appropriating such a sum for that purpose? An explanation might likewise be given of the sum expended in discharging exchequer-bills, which would deprive the right hon. gentleman of any credit for that service. He would call upon ministers to state how they had disposed of the other enormous grants voted by this House last session. How had the noble lord opposite, in his negociations abroad, disposed of our money? He seemed very lavish of it, as would appear by the treaties before the House. He could not keep the purse of this nation shut, when transacting business with such high personages as those with whom he had lately negociated. Russia said to him, "I have brought into the field upwards of 100,000 men more than my stipulated quota." Have you, said the noble lord? why, then, here is half a million for you [Hear, hear! and a laugh.]

The right hon. gentleman then went on to examine the statements of the Chancellor of the Exchequer, and contended that his account of the whole revenue yesterday did not tally with what was given last session. There was a falling off rather than an increase. He was convinced that the right hon. gentleman had stated an error on this subject, and that he himself was conscious of it, from his having taken the surplus of the consolidated fund at 2½ millions this year, while last year he took it at three millions. Taking this and the other items of permanent taxation, we had no more than 5½ millions provided for out of the 20 millions necessary for our peace establishment. This information, he conceived, was of a kind to make the House look about — to make it pause before it gave its support to the propositions of ministers. When there was only so small a sum to be calculated upon, and so great an expenditure in contemplation, he thought the very circumstance would be sufficient to rouse parliament and the country to a sense of their dangers and difficulties. But then, said the chancellor of the exchequer, we can resort to the war taxes for the support of our establishments. It was never intended that these taxes should continue in time of peace. To continue them would be breaking faith with the country, even if it were possible to make them productive. This was a circumstance, however, which could not be expected. These taxes could not be collected in time of peace to any amount. The temptations to smuggling would be so great, the methods of evasion so numerous, and the ingenuity of persons who engaged in attempts to defeat the revenue laws so much sharpened by the importance of the objects they followed, that the taxes, though they remained, would not be productive. He would only instance the tax upon tea, and if he saw any of the honourable directors of the East India company in the House, he would ask them if they thought that in time of peace 95 per cent. could be levied upon it, without creating an irresistible effort to smuggle that article? If we meant to continue the war taxes of the customs and excise, we must add to our navy a very great force of small vessels, to prevent frauds upon the revenue. All the war taxes of customs and excise together could not, he thought, be taken at more than four millions, which, in addition to the sum already specified, would not exceed eleven and a half millions—a comparatively small proportion only of the twenty millions stated to be necessary.

After having made some further observations on this subject, he said, that if ever there were circumstances in which a call of the House was necessary, those circumstances had now occurred. If nothing else was done; a committee should be appointed to inquire into our expenditure, and to suggest the means of relief. A hope had been expressed, that some of our taxes would improve. This hope, he thought, could not be rationally entertained. He believed taxes seldom or never improved in time of peace. Take the tax upon leather for instance, which the farming interest felt so oppressive, and he would ask, could that be expected to improve? It was needless to run over the other sources of taxation, to show the fallacy of this expectation. He again called upon the House to pause before it agreed to the propositions which it had heard last night. The right hon. gentleman oppposite, by way of composing public feeling, and lulling the vigilance of parliament, had stated that he did not intend to fix the peace establishment by the views he had given. This was the proper time, therefore, for sounding the alarm before the burthens of the people were fixed upon them for ever, and before their liberties were put to hazard by the establishment of a great military force. If his voice could reach all corners of the country, where assemblages of the people were every where collecting to petition for the removal of their grievances, and of that great grievance the property tax, he would advise that there should not be a single application presented to the legislature without containing a prayer and a remonstrance against the existence of such a monstrous military establishment in time of peace as was now threatened to be imposed on us. He might raise his protest in that House, but, without some assistance from without, he could do nothing. The noble lord might smile at the security of his situation; he might congratulate himself upon his triumphant majorities, while he was merely opposed by the speeches within doors; but he hoped the sentiments of the people, constitutionally expressed, and followed up with the measures which they might be expected to take, would teach him an important lesson. He hoped the nation would declare themselves—that they would show to government that we were not to become a military people—that the liberties of England were not to be sacrificed, and its resources depressed, by maintaining an unwieldy and oppressive military establishment Ministers, he repeated it, might count, as they always did, upon a majority; but he confidently believed that that majority would receive instructions from their constituents as soon as they were informed what was going on, and that they would deem it proper to obey them. At any rate ministers must soon give the most explicit information; they will have to inform the House why it is that the military establishment of the country had been made so much to exceed the naval establishment, and why Great Britain is to be loaded with expense through entangling herself in continental politics.

With regard to the property tax, he would declare it to be his firm opinion, that if the people of England would submit to bear half of it, they were fully entitled to be saddled with the whole. He would say again to ministers, you must reduce your establishments to a proper peace establishment, which will be the only real earnest you can give the public of your good intentions. Nobody could believe, if it was determined to maintain those establishments on the indicated footing, that there was not some secret object for such immense regulations. If peace had been accomplished for Europe, and that peace bid fair to hold out, it was incumbent on ministers to show upon what possible ground we could want an enormous military establishment of not less than 150,000 men. Was the noble lord keeping in a state of preparation for war? Had he any suspicions that the peace in which he endeavoured to fix our confidence would be of short duration? The great armaments still supported by the sovereigns in alliance with us seemed of evil augury, and showed that peace was established without the spirit of peace. Did they already entertain jealousies of one another? and might they not feel alarmed at the preparations of England? If a motion of a hon. and learned friend of his (Mr. Brougham) had been agreed to with regard to the production of a treaty against Russia, we might have some data for determining the temper with which the allies were animated. The right hon. gentleman concluded a most able speech with deprecating the continuance of such an army as would tend to make us a military nation, and fix upon us the burthens of war in a period of tranquillity, or lead us soon to the rupture of the peace which had been so long prayed for and so happily established.

Lord *Castlereagh*, in rising to answer some points of the right hon. gentleman's speech, assured the House, that the only difficulty imposed on his majesty's ministers by the speech of the right hon. gentleman was a doubt whether this was a proper time for entering into such large considerations, when no practical result was to arise out of the discussion. The question on which the House was called upon to vote, was not a question involving any of those topics of general, and domestic policy upon which the right hon. gentleman had adverted at such length; and although the opportunity furnished by the financial plan disclosed by his right hon. friend yesterday had been eagerly seized on the other side for the renewal of their usual arguments, he hardly felt inclined to anticipate questions which would come so shortly, and in so much more convenient a form, under parliamentary investigation. Averse, as he naturally was, to address the House on subjects purely financial (and he was ready to admit, particularly so when he had to cope with the right hon. gentleman, whose skill and knowledge in subjects of this nature were well known to the House), he still, however, felt it to be his duty to offer some observations in reply to the reasonings and principles set forth in the right hon. gentleman's speech. He was not a little surprised, indeed, to see the right hon. gentleman do so much injustice to his own talents and so surrender up his knowledge of principles, as to suppose for a moment that he had satisfied the House that the plan of finance suggested by his right hon. friend, because it had discarded all idea of a new loan, was altogether unwise, and founded on a wrong basis. [Here Mr. Tierney assured the noble lord that he had never said any such thing.] He could wish that the right hon. gentleman would rather reply to than interrupt him. What he had understood to have fallen from the right hon. gentleman was, that he first objected to the renewal of the property tax, and then added, that twelve millions of the last loan were not yet taken up, which ought therefore to be considered as a loan to that amount for this year. The right hon. gentleman wished to deny the property tax to the Crown. Could he point out any other effectual means of sustaining the money market? and burthened as the country was, was it not indispensable that that market should be sustained? Was there any other mode of pouring that influx of capital into the circulating system, by which alone relief could be given on individual security? The largest loan that ever was made took place last year, and because there remained ten or twelve millions of that loan to be paid up, was this an argument to authorize the right hon. gentleman to attack and break down the whole system of taxation of the country, and endeavour to destroy the public confidence? If the markets were not sustained, it was impossible to expect to have the influx of capital which the right hon. gentleman argued last year we could not have. His right hon. friend had gone candidly through every item of the ways and means; he had concealed nothing, nor had he taken credit for the surplus in the supply of last year, as applicable to any establishment except that of this year. The right hon. gentleman, however, took the ways and means of the year, went through the war taxes, and argued against their being productive. The right hon. gentleman's arguments bore that tincture of despondency which had pervaded them on almost every occasion for the last fifteen or sixteen years: but he was happy to say that this ague of the right hon. gentleman had not affected the tone or nerves of the country. From the dangers so often described on the other side the country was happily delivered, and he was sure that the right hon. gentleman rejoiced in being relieved from that alarm which had been the source of so many fallacious predictions. So long as public credit was supported, there was no reason to despair of the public resources. Every successive year would present resources of its own, so long as the spirit of the country remained unbroken, and public credit was secure. He trusted that the people would not be disheartened, therefore, by the gloomy prognostics of the right hon. gentleman, now that we had surmounted our difficulties, and that all the great objects of our foreign policy had been accomplished. He hoped they would not rush upon their ruin, by giving themselves up to the delusion attempted by the right hon. gentleman, nor hazard the dearest interests of the country in compliment to the speeches on the other side, when the reasoning employed by the right hon. gentleman himself on the subject of loans was an unanswerable argument in favour of continuing the property tax for some time longer. The hon. and learned gentleman (Mr. Horner) had placed the question between them on a fairer and more liberal issue, in admitting, that if it could be shown satisfactorily that the expenditure proposed was necessary, the property tax was necessary also. Upon this ground he was willing to join issue. It was true that the property tax was an evil in itself; and the same might be said of every species of taxation, when separated from all considerations of their necessity or application But the question was—Was there any other mode, supposing (which he trusted he should be able to make out to the satisfaction of parliament, when the proper period should arrive), that the proposed establishment was necessary, by which a sum of six millions could be raised so easily, and with so little oppression to the subject? With regard to this question, he was by no means disinclined to go at once into a detailed consideration, were it possible that it could lead to any operative decision. He must do this justice to the right hon. gentleman, that he had fairly stated the general amount of what was proposed as a peace expenditure, in taking it, not at thirty, but at twenty millions. But when the right hon. gentleman proceeded to argue, that this afforded evidence of some intention of changing all the former principles of our public policy, he entirely misunderstood the views of his Majesty's government. They had never aimed at any thing so new and alien to the constitutional policy of this kingdom, as to ape the military character of other states, or to approximate our own system to that of countries so differently situated in every view of European policy. But it was easy, he apprehended, to perceive a broad distinction, as he should hereafter more fully labour to prove, between a new military system, adverse to our commercial and maritime character, and an establishment giving a faculty of naval and military strength, adequate to our security against all emergencies. He certainly thought the peace such as ought to create confidence in its continuance and stability; but he, for one, should never think the tranquillity of the world sufficiently established, till he saw every where a respect for civil institutions taking place of a military spirit, and the civil principle enthroned as it were, paramount to the military views and policy of other states. To him the most alarming symptom of the times we lived in was, that out of the great efforts made by the confederacy of Europe against the thraldom with which they were menaced by one particular power, so general a military interest had been created, that it was impossible to consider Europe as perfectly tranquillized until those armies which had been put in motion should have sunk to their natural level. He could not recommend it to the country to disarm altogether, whilst the continent was still covered with camps and armies, or to leave itself without the possible resurrection of its strength, if it should suddenly become necessary. The right hon. gentleman had been closely connected with the government that negociated the peace of Amiens, and framed the subsequent peace establishment. He could not have conceived that establishment as too extended, and yet it consisted of 23,000 men for Ireland, instead of 25,000, as now proposed; and of 47,000 for Great Britain, instead of 25,000, according to the estimate of the present year. The circumstances of the two periods corresponded [Hear from the opposition.] He must contend, that whatever advantages might, in some respects attend our present situation from the reduction of the power of France, a continued jealousy was highly necessary, particularly when it was considered that the French army was not extinguished, and that, although it had been disbanded, its component parts were still in existence.—Upon all these points he was prepared to enter into the minutest detail, and felt as much anxiety as the right hon. gentleman for a full attendance of members. He should make no opposition to the motion for a call of the House, should it be made within such time as not to interrupt the progress of parliamentary business. But when he listened to that sort of appeal to the country, by the right hon. gentleman, and to his professed design of sounding an alarm to the public (appeals common enough from him, and yet chiefly made when he felt himself destitute of all foundation in fair reasoning), he must express his hopes that the country would not be induced by such attempts to withdraw its confidence from a government which had carried it through so many difficulties. Appeals, indeed, of this nature ought to be looked upon as forming part of the tactics on the other side, and not being inconsistent with parliamentary practice, to constitute one of the regular modes of attacking an administration. The right hon. gentleman abounded in these appeals; but he trusted to the good sense of the people, that no eloquence would tempt them to abandon that course of conduct to which they had adhered so long, or to shrink from the exercise of that perseverance which was necessary to secure what had been acquired. He felt assured that the people of England would not, from an ignorant impatience to be relieved from the pressure of taxation, put every thing to hazard, when every thing might be accomplished by continued constancy and firmness. He would venture to assert, that they did not desire relief from their burthens more than ministers desired it for them, and that no opportunity would be neglected, or time lost in carrying their disposition into effect.—The right hon. gentleman had had recourse to his usual custom of complaints against the influence of the Crown. This, when no other topic suggested itself on the opposite side of the House, was the ground always occupied. It was the citadel to which the gentlemen opposite retreated on desperate occasions, and in which they shut themselves up, as their forlorn hope.—But with regard to military patronage, he did not think that those who knew how admirably and impartially the affairs of the army were administered by the illustrious personage at the head of that important department would be led away by any false insinuations. Every body knew that that illustrious personage was as little influenced by considerations of party, as any man alive; and the right hon. gentleman and his friends knew well, although they were not in the government, that they could go to his royal highness and recommend any officer of talents, without ever meeting with a negative. In fact, if there was any one branch of the government against which, more than another, the charge of undue patronage would not in any way lie, it was the one in question —it was the one above all others in which such patronage could never be obtained.—Reverting to the subject of the military establishment, his lordship observed, that this was not the occasion on which he could submit the local considerations which influenced government why a particular number of men were appointed to one service more than to another, but he would pledge himself to show, by comparisons between the peace establishment of 1792 and 1802, what the expense of the right hon. gentleman's army in the latter year would have been to the country. At present, instead of the bugbear of the peace establishment costing the country thirty millions, the right hon. gentleman had relieved us from the night-mare of ten millions. But he (lord Castlereagh) wished to reserve the full consideration of the subject for the present, and when it came to be discussed, he would freely state what the considerations were that rendered necessary so large an establishment; after this he trusted the right hon. gentleman would be prepared to state in what branch any reduction could be made. But at all events, he apprehended he would not be able to shake the policy of having 25,000 men in Ireland, and 23,000 in England, with a view to casualties and our necessary security. He felt certain that whatever the course of objections might be that would be made on the other side, they would prove unsound, and he was sure that the country would wait on this occasion, and bear the necessity that existed with the same patience and good will as it had displayed throughout the war. The good sense of the people would induce them tranquilly to wait till the subject had been amply discussed by their representatives, without suspicion that government would lend themselves to force any unnecessary establishment on the nation, which had so nobly sustained itself throughout the long and trying contest, and without assuming, gratuitously and unreasonably, that the ministers of the Crown entertained any designs destructive of their interests, or hostile to the constitution of the country.

Mr. *Wynn* was of opinion, that if, as had been asserted by the noble lord, the present state of this country was really analogous to what it was at the peace of Amiens, its situation was far from enviable. What was said of that peace at the time, by the gentlemen opposite? They said, that only nature's fools could have supposed it likely to last. At the last mentioned period Holland and Spain were under the direct influence of Buonaparté, who possessed an unbroken army. At present Holland was our ally, Spain was our ally, and Buonaparté was at St. Helena. With respect to what the noble lord had said of the hostility to patronage as being the citadel of opposition, he had been bred in a different school from the noble lord. He had always understood that it was the duty of that House to watch with jealousy the patronage of the Crown, and not to confide in any measure from personal respect towards the individual, whether commander-in-chief or otherwise, in whom it might originate. Without any reference to the acknowledged merits of the present illustrious commander-in-chief, it was well known to be in the nature of things impossible, but that the possession of military patronage must be a source of great influence to government, who had therefore an interest in extending it in all its various departments.

The second resolutions were then put and agreed to.

On the motion of Mr. Horner (acquiesced in by lord Castlereagh), an humble Address was ordered to be presented to the Prince Regent, praying that he would be pleased to order that there be laid before the House a copy of any agreement made with the allied powers respecting the proportion and nature of the force which is to form the army of occupation in France.

Sir *James Mackintosh* referring to the opinion yesterday expressed by the right hon. gentleman opposite, of the legality with which the contribution paid to this country by France might have been considered as droits of the Crown, wished to know whether the right hon. gentleman had founded that opinion on any consultation with the law officers of the Crown?

The *Chancellor of the Exchequer* said, that under the circumstances of the case, he had not thought it necessary to require any legal opinion upon it.

Mr. *Wynn* inquired as to the amount of the contribution which had been actually paid?

The *Chancellor of the Exchequer* replied, that out of 700,000*l.* due, 500,000*l.* had been paid into our military chest at Paris.

Mr. *Wynn* contended that the House ought to assert its control over this money.

Mr. *Brougham* pressed the question which had been put by his hon. and learned friend; namely, whether any legal adviser of the Crown had been consulted as to the liability of this money to the character of droits of the Crown.

Lord *Castlereagh* deprecated the discussion of a question which could have no practical result. As to the appropriation which had actually taken place of this money, the House would have an opportunity of considering whether it had been proper or not. The Crown had only acted as trustee for the army which had fought under the duke of Wellington, and which consisted not of British troops alone, but of four other nations.

MOTION RESPECTING CERTAIN TRANSACTIONS BETWEEN THE PUBLIC AND THE BANK OF ENGLAND.] On the motion of Mr. Grenfell, the following Acts were entered as read; viz. 31 Geo. 3, c. 33, 39 and 40, c. 28, 46, c. 41, 48, c. 3, and 4, 55 c. 16. After which,

Mr. *Grenfell* rose and spoke as follows:*

Mr. Speaker;—Towards the close of the last session of parliament, I gave a notice that I should, at an early period in the present session, submit to the House a proposition founded on papers and documents which have been printed, and in the hands of members since the month of July last; having reference to certain transactions and agreements, subsisting betwixt the public and the bank of England.

It is for the purpose of redeeming that pledge, Sir, that I have now the honour of addressing you. And if I was of opinion, when first I took the liberty of calling the attention of parliament to this subject, not only that it was more consistent with what might be due to the bank, and to our engagements subsisting with it, but that also with a view to the ultimate success of my own object, it was more expedient, that I should propose nothing, at that time, that should have any immediate operation upon these transactions or agreements; but, that I should strictly limit and confine myself, as I trust I have done, to an application to the House for such information—for such details, as appeared to me best calculated to enable both the House and myself to form and arrive at correct conclusions upon the whole of this important subject; if such, Sir, I say, were the sentiments which I entertained at that period, the opportunity that the recess of parliament has since afforded me, of examining into, and combining the information contained in that mass of papers now upon your table on this subject, has not only satisfied me of the propriety of that course of proceeding, but at the same time strengthened and confirmed the opinion I have entertained on this subject from the commencement—namely, that the terms and principles upon which these transactions have been for many years past, and are now carried on by the bank for the public, are in their nature extravagant, exorbitant, and therefore in their effect and operation injurious to the public interests. And as we are now arrived at the eve of that period when all agreements, having reference to these transactions will expire —namely, on the 5th of April next:—if I should be so fortunate as to find the House concurring in the view I have presumed to take of this subject, I am confident they will feel it to be their duty to take care, that these transactions be conducted in future, upon such a footing, as shall be just towards the public, without being, in any measure, unjust towards the bank of England. It being the conviction of my mind and I entreat the House to believe, that I state what I am now about to do, not rashly, not vaguely, nor without the most anxious and repeated consideration, that the result of arrangements, founded on these just principles, must be to secure for the public a saving of public money, amounting to hundreds of thousands of pounds per annum, without doing any thing that could be construed by the most scrupulous into a breach of the public faith, without committing the slightest degree of injustice on the bank of England; but still giving to the bank, what I shall always wish to see it receive, an adequate, ample, liberal compensation and remuneration—proportioned, however, always to the nature and value of the service performed by the bank for such remuneration; and still leaving that great corporation what it now is, and what, as a member of that body myself, it must always be my interest, as it ever will, on public grounds, be my wish to see it, namely, the most wealthy and opulent, the most thriving and prosperous, the most profitable banking institution that now exists, or that ever has existed, in this or in any other part of the commercial world.

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Before I enter, however, upon this subject, I wish to disclaim all intention of meddling, or interfering, with any of those transactions of the bank of England, which may purely and properly be considered as exclusively their own. With the private concerns and transactions of the bank, I presume, generally speaking, this House can have nothing to do, and, therefore, except under circumstances of a very peculiar nature indeed, never will meddle or interfere. But in all transactions in which the public are directly interested with the bank, in which the public are to be considered as one of the contracting parties, and the bank the other, —not only do I feel that we are competent, but, if I know any thing of the practical functions of the House of Commons, it is our bounden duty, as the constitutional guardians of the public expenditure, to take care and satisfy ourselves and the public, that those transactions are conducted in such a manner, and on such terms and principles, as the public are entitled to, and have a right to expect. I am also desirous of stating—what, indeed, I have stated upon a former occasion—that, in calling the attention of parliament and of the public to this subject, I am influenced by no motives of personal hostility towards the directors of the bank, —for whom, individually, I feel the respect that is due to their characters and stations: the hostility I feel, if such a term be applicable to my feelings, is one that I do not shrink from the avowal of— it is hostility to a system, established, perhaps, not by the gentlemen who at present conduct the affairs of the bank, but, for any thing I know to the contrary, by their predecessors,—but a system, by whomsoever established, or by whomsoever acted upon, which I oppose, and am in hostility to, because, in my conscience, I believe it to be a system hostile to the interests of the country. Neither have I been so inattentive an observer of what has passed within the circle of my own experience during the last thirty years, nor am I so ignorant of the principles upon which this great commercial country rests, as to be either insensible or indifferent to the many and important advantages which the public have long derived—which we now enjoy—and which, I trust, shall long continue to derive, from this our great national bank: nor am I, in any degree, desirous of limiting, curtailing, or abridging its fair legitimate profits; but, convinced as I am, from every consideration I have been able to give to this subject, that, in our transactions with the bank, particularly of late years, we have contributed towards those profits in a most undue and uncalled-for degree; to an extent, unwarranted either by the nature or value of the service performed by the bank: satisfied, too, that we may secure to ourselves a continuance of those, and indeed of all other advantages, which the bank is capable or susceptible of affording to us, without our being subjected to such immense pecuniary sacrifices as we have hitherto made for those services—such, I say, Sir, being the honest conviction of my mind, I trust the

House will do me the justice to believe, that in submitting this subject to their investigation, I am actuated by no motives but such as are of a public nature: that I am desirous, ambitious, if you please, (no blameable ambition, I hope) to accomplish, upon public grounds, an important saving of the public money. Whatever, then, the feelings of the directors of the bank may be, on this occasion; whatever motives, however erroneous and unfounded, may be imputed to me, I shall not shrink from the task I have undertaken; but, so long as I shall be conscious, as I now am, of the rectitude of my own intentions; and, above all, so long as I may receive from this House that forbearance and indulgence, of which I feel I stand so much in need, whenever I presume to address them, I shall persevere; satisfied that I stand on firm and tenable ground; that the cause I have undertaken is a good one; and that, under the favour and indulgence of this House, I cannot fail to bring it to a speedy and successful issue.

Having detained the House, longer than perhaps I ought to have done, with these preliminary observations, I will now proceed at once to the discussion before me; and, in doing this, I shall endeavour to confine myself, principally to two branches, or heads of the public service, into which the subject seems naturally to class and arrange itself; to which the papers on your table mainly apply; and to which alone I look, as the sources of that public economy and retrenchment, which are the only objects I have in contemplation.

The first of these two branches then will refer to the deposits of public monies lodged at the bank, acting, in this respect, as the bankers of the public; which monies (precisely as is the case with money deposited by individuals with their private bankers), are wholly unproductive to the public, but productive of advantage and profit to the bank to the extent, as I venture to contend, as was successfully contended by a committee of this House in the year 1807, and immediately afterwards, not only successfully but practically, contended by Mr. Perceval in the arrangements made by him with the bank in the year 1808; and, as I do not now expect to hear denied, even by the directors of the bank themselves, productive then, I say, to the extent of about five per cent. per annum upon their whole aggregate amounts; which aggregate amount, estimated upon an average fairly taken during the last ten years, that is, from the year 1806 down to the present time, I state to have been about eleven millions and a half sterling. When I say from 1806 down to the present time, I beg to be understood, with reference to this and to every other part of the subject, where I may have occasion to use the same expression, as meaning, down to the latest period to which any account upon the subject has been laid before parliament; and all such accounts come down to a late period in the last session: what may have happened since that time I know not, nor would any variation in these accounts, which may since have taken place, either alter my view of the subject, or in any manner affect the argument I mean to hold upon it.

The second branch of the subject, to which I shall apply myself, will be the commission or charge paid by the public to the bank for the management of the public debt, amounting, upon the debt as it now stands, including the loan, and other financial operations of the last year, to an annual sum of about 275,000*l.*, to which must be added, a further charge paid to the bank of 800*l.* per million, upon the whole amount of every loan; and of 1000*l.* upon every lottery contract; which two items of charge, amounted in the last year to a sum exceeding 30,000*l.* and in the year preceding, that is, in 1814, to a sum exceeding 42,000*l.*

There are three other items of charge made by the bank against the public, of comparatively trifling amount, but upon which I shall wish to address a few short observations to the House:—the first is a sum of 4000*l.* per annum paid to the bank, from the original grant of its charter, under the denomination of "an allowance to the bank towards its House expenses." The second is a sum of 1898*l.* per annum, charged for management on four millions of the public debt, purchased by the bank of the south sea company in 1722, and which now forms a part of the bank capital lent to the public at three per cent. The last item is a charge paid to the bank since 1806, as a commission of one eighth per cent. or half a crown in the hundred pounds, upon such portion of the property duty, as persons, assessed for trades, offices, or professions, voluntarily take to the bank, and deposit there, on its way into the exchequer. The several items just enumerated, and comprised under this second branch of the subject, form together an annual aggregate charge exceeding 300,000*l.*

There is, however, another part of this subject, another source of immense wealth and profit to the bank, to which in an inquiry of this kind, it is impossible that I should not advert, though I beg to be distinctly understood, as not meaning, at present, to propose, or even to recommend, any participation in those profits on the part of the public. What I allude to is, the immense increase in bank profits, arising out of the increased circulation of their paper, since the year 1797, and in consequence of an act which passed the legislature in that year, commonly known by the name of the "Bank Restriction Act;" an act, the title of which was, "An Act for restraining the bank of England from paying its obligations in cash;" but which, I confess, it has frequently occurred to me, would not have been inaptly intituled, "An Act for relieving the bank of England from the necessity of paying its obligations in cash;"—and as this part of the subject does not necessarily connect itself with either of the other branches to which I have just referred, and as what I shall have to say upon it will be very short, perhaps I shall best consult the convenience of the House, as well as my own, if I dispose of it at once, and in this part of the discussion.

It appears then from papers which are on your table, that the circulation of bank of England paper, estimated upon an average of years prior to the restriction act, amounted to a sum fluctuating betwixt eleven and twelve millions. I am indeed aware, that at the period when this act passed, and for some time previously, the bank circulation was reduced considerably below this average; but as I do not wish to deceive myself or the House, by taking an exaggerated view of any part of this subject (for in truth, if I were so disposed, or capable of doing it, the case before me appears to me to require no exaggeration) I am willing to consider this as a depression arising out of temporary circumstances, and to take the average circulation prior to 1797, at the sum of eleven or twelve millions. Now, it appears, from papers which are also before us, that this circulation, as might indeed have been expected, has gone on gradually increasing ever since; till it reached, at one period in the last year (the year ending in June last) the sum of 31,300,000*l.* and the average of the whole of that year may be fairly stated as fluctuating betwixt twenty-seven and twenty-eight millions. Here, then, the House will perceive, is an increase in the bank-paper circulation at present as compared with what it was prior to the passing of the restriction act, of no less a sum than sixteen millions, yielding of course a corresponding increase in the gross profits of the bank of 800,000*l.* per annum! Now, Sir, as I have before observed, it is not my intention to propose any participation, on behalf of the public, in these enormous profits, in the present state of things. I say, in the present state of things; because, presuming to think as I do, that from the moment the restriction act passed, the public acquired an equitable claim upon the bank for a participation in the profits, which that act had created; and, that if we have hitherto abstained (as I think we have wisely done) from urging that claim, it has been from considerations of policy and expediency, and not from any question as to the rights of the public, with reference to such participation; holding this opinion, Sir, I have no difficulty in stating, that if this system, which has now gone on, without any interruption, during the last nineteen years, and which has been such an abundant source of wealth to the bank exclusively, should become the permanent system of our currency; nay, if its duration should be protracted, as from something that has lately passed, we have reason to expect, may be proposed to us, even for one year beyond the 5th of July next, to which this system by the law now in force is limited; in such an event, I trust some member of this House of more weight and authority and more competent to the undertaking than myself, will come forward, and offer us a proposition, the object of which will be, in some way or other, to give to the public a participation in these profits in future. At present, however, I have nothing of that kind to propose to you; and I have referred to the subject chiefly for the purpose of bringing under the notice of the House the two following facts:—first, that the bank are now deriving an increase in their profits, from the circulation of their paper, as compared with those profits before the restriction act passed, at the rate of 800,000*l.* annually; and secondly, that they are indebted for these increased profits, in a great measure (I will not say altogether, because the increased trade and circulation of the country must have operated in some degree upon their profits) to an act of the legislature. Surely, then, I may contend, that if we have thus far forborne from claiming our right to a share in those benefits, the public had at least to expect, that in all its dealings with the bank, the bank would have exercised a corresponding forbearance in point of charge; that it would have acted towards the public, at least upon a system of moderation—aye of liberality and generosity. How far this has been the system upon which the bank has conducted itself towards the public, the House will judge for itself, from what I am now about to submit to them: and first with reference to the first branch of the subject, namely, the balances of public monies deposited at the bank, acting as the public bankers.

In order to submit to the House my view of this branch of the subject, and to render myself intelligible upon it, I feel it necessary to state, in the first place, that in the year 1800, when the charter of the bank of England was removed, Mr. Pitt, conducting the negociation on the part of the public, claimed, as he was entitled to do, from the Bank, a direct participation for the public, in the then existing profits of the bank, arising out of its exclusive privileges of banking as a corporate body; and convinced, no doubt, as he must have been, that all deposits of public monies must be productive of profit to the bank, to the extent of 5 per cent. per annum, so long as the bank shall be in the practice of giving its paper in exchange for securities, bearing 5 per cent. interest, Mr. Pitt applied his principle of participation to the balances of public monies deposited at the bank.

I have, in the next place, to state, that the only deposits of public money particularly adverted to, or calculated upon, in that negociation, were two;—the one, arising out of the quarterly issues from the Exchequer to the bank towards the payment of the growing dividends, which was stated in an evidence given by the bank to a committee of this House, in the year 1807, and as I have a right to infer, so represented to Mr. Pitt in 1800, to have amounted to an average balance of two millions and a half; the other and only other remaining deposit, calculated upon, on the renewal of the charter, was that which arises from the issues of money from the exchequer to the bank, at the commencement of each quarter, for the reduction of the national debt; amounting, according to a paper laid upon the table of this House, in the month of July last, and for the production of which, as well as of other valuable documents, from which I have derived much information upon the whole of this subject, I am indebted to the governor of the bank, who moved for them; amounting then, according to this paper, to the sum of 615,000*l.*

The combined amount of these two deposits was 3,115,000*l.*, and I have the authority of the bank of England itself, solemnly given in evidence before a committee of this House in the year 1807, for stating, that these two were the only deposits of public money at the bank, that were calculated upon when the charter was renewed, as all other deposits—(I will use the very words and language of the bank of England itself on that occasion,) "As the other public accounts were at that time of trifling amount."

Now, Sir, I am under the necessity of stating, what, indeed, must be obvious to every gentleman who has investigated this subject, that this evidence of the bank, given to the committee in 1807 as the statement of what passed in the negociation with Mr. Pitt in 1800, is directly at variance with, and in contradiction to, the contents of the papers which I now hold in my hand, and which the bank has now thought proper to produce, having reference, precisely, to one, and the same subject: for it appears from the papers now produced, that though the only deposits adverted to when the charter was renewed, were the two I have enumerated, the combined amount of which, as stated by the bank, was about three millions one hundred thousand pounds; it now appears, that one of these two balances described by the bank as amounting to 2,500,000*l.* exceeded in its amount the sum of 3,600,000*l.*, and that the other deposits, stated not to have been noticed because they were "of trifling amount," amounted to a sum of 1,947,000*l.*; and that the combined amount of the whole, instead of 3,100,000*l.*, as stated by the bank in 1807, exceeded, according to the statement now made by the bank, the sum of six millions!

Sir, I can easily understand, when in the year 1800 Mr. Pitt was claiming a direct participation with the bank in the profits derived from these deposits, that it must have been an object with the bank—nay, that it was their duty, to take care that there should be no exaggeration on this subject, that not one shilling should be exhibited as a deposit, which did not actually exist: so, Sir, it is equally intelligible now, with reference to the discussions which took place upon this subject in the last session of parliament, as well as to the object I have in view, that the bank should now be anxious, that none of the deposits which actually existed in their hands in the year 1800, should at present be suppressed or kept out of view. Now, I do not mean to charge the bank of England with having intentionally misled either the committee in 1807, or Mr. Pitt in 1800: I merely state the facts, such as they present themselves in the papers now before us: and it is for the bank of England, and not for me, to account for and to explain, the difference that exists between the two statements which they have laid before us, both having reference, as I have before observed, precisely to one and the same subject. It is sufficient for me to have shown, as I trust I have done, to the satisfaction of the House, sure I am, that I have done so upon such authority as cannot, will not, be questioned, controverted, or denied, by the bank itself, that the only deposits calculated upon, when the charter was removed, were the two I have mentioned, amounting together, as then stated by the bank, to a sum of about 3,100,000*l.*

In the profits resulting from these two deposits then, Mr. Pitt claimed a participation; and, after several discussions, the negociation ended in an agreement, on the part of the bank, to advance to the public a loan, as it was called, of three millions, for six years, without interest, upon the distinct and specific ground of thereby giving to the public a participation in the profits which the bank was deriving from the possession of this public money; and also in other benefits derivable from their exclusive privilege of banking as a corporate body, the particulars of which are not described, and upon which, therefore, I will not hazard a conjecture.

Now, Sir, before I proceed further, I am anxious that the House should notice, and bear in mind, this transaction, as a direct recognition on the part of the bank, of the productiveness of profit, resulting from the possession of this money—a recognition, indeed, upon which I should be disposed to lay little or no stress, because it appears to me to be nothing more than the recognition of a self-evident proposition, and to which I certainly should not be desirous to point and direct the attention of the House, if the bank had not, since that period, most strangely, most unaccountably, I may add, most whimsically, endeavoured to set up and maintain a doctrine, which, had they been successful in establishing it, would have gone to the utter subversion and denial of a principle so plain, simple, and self-evident, as this principle appears to me to be; but, Sir, this transaction not only admits the profits which the bank were deriving from the possession of this public money, but it recognizes also, what is of more importance to the public—the right of the public to a participation in them.

Under this agreement then, and with the usual covenant for continuing the whole of the bank capital, amounting to a sum of about 11,600,000*l.* in the hands of the public, at the three per cent. interest (at which rate of interest the public have held this capital ever since the year 1742, and the advantage of which to the public has always been considered as a part of the price paid by the bank for its charter), the charter of the bank of England was renewed for a period of twenty-one years, from 1812; extending its duration, therefore, to 1833—of which, consequently, seventeen years now remain unexpired.

In the year 1806, the loan of 1800 for three millions became payable; but, instead of discharging it, the government of that day, lord Grenville and lord Henry Petty being at the head of the treasury, and the right hon. gentleman, the present chancellor of the exchequer, filling the situation of one of the secretaries of the treasury in the finance department, entered into a negociation with the bank, which ended in an agreement for prolonging the period of this loan for the duration of the then existing war: not without interest, upon which terms the loan had been made in 1800, but subject, on the part of the public, to interest at three per cent., or, in fact, to the payment of 90,000*l.* per annum for the use of it. Now, inadequate as I think this arrangement was, to what the public had a right to expect, unreasonable on the part of the bank to require, and improvident on the part of the public to accede to these terms, it nevertheless was a transaction by which the public acquired the use of three millions, at three per cent. interest, instead of paying five per cent. for it; and, in this point of view, it may be considered, and was a saving of two per cent. upon three millions, or of 60,000*l.* annually; and, as such, I wish the House to notice this transaction, as a second admission, on the part of the bank, of the profits they were deriving from the possession of these public deposits, and also as a recognition of the right of the public to a farther participation in these profits: a participation beyond that which the public had acquired at the period of the renewal of the charter.

But there is something in this transaction so objectionable in my view of it,—something that so strongly marks and characterizes the spirit in which the bank has conducted itself in all its transactions with the public of late years, that I cannot suffer it to pass by me, without entreating the leave of the House to offer one or two observations upon it. I have no information of what passed betwixt the government and the bank in the progress of this negociation, It must, indeed, have been notorious then, as it is now, that a considerable increase had recently taken place in the amount of public deposits at the bank, in consequence of the recent detections and discoveries of mal-practices, and mal-appropriations, of the public money, on the part of certain public accountants, and of other gentlemen in office, to whom the public money had been entrusted; which very properly induced the government, supported by the legislature, in all cases where legislative interference was necessary, to place the public treasure beyond the reach of loss or hazard in future, by directing it to be deposited, in all cases where it was practicable, in the hands of the public banker—the bank of England. But it was not till the year subsequent to that in which this arrangement took place, namely, till the year 1807,—that either this House or the public, or, as I think I may venture to assert, the executive government itself was aware, either of the enormous magnitude to which these monies had accumulated in the hands of the bank, or of the enormous profits which the bank were at that time, and had, during a considerable time previously, been deriving from the possession of this money. Why, Sir, at the very moment, in 1806, when the bank required, and the public most improvidently agreed to pay, 90,000*l.* per annum for the use of three millions of money, the bank held, and were in possession of a treasure belonging to the public, amounting to a sum little short of twelve millions! wholly unproductive to the public, but productive of advantage to the bank: which treasure, too, I would observe, in passing, has remained with the bank of England, with little or no diminution ever since.

Now I would ask the House, whether it is possible to believe, without imputing to the government of that day, what I should be most backward in imputing to it or indeed to any other government under similar circumstances; I ask you, whether, without imputing to that government, the grossest negligence, or the most culpable indifference to the interests of the public, it is possible to believe, that they would have agreed to pay the bank 90,000*l.* per annum, for the use of three millions of money, if they had been aware, that they possessed at that very time, an aggregate amount of public monies in the hands of this very same bank, amounting to a sum little short of twelve millions? Sir, the thing is absolutely impossible. It has been the fashion to call this, and other similar transactions, "loans" from the bank. "Advances of money forsooth, from the bank to the public:"—this term has always appeared to me, I must not say, intended, because it is a term applied to the subject, in an act of the legislature, but I may say, if not intended, calculated to mislead and deceive the public, as to the real nature and character of the transaction itself: and I confess it seems to me, that instead of calling this operation a loan, or advance, from the bank, it would be much more correct to say, that it was a liberty given to the public,—or—what I should like still better, a right assumed by the public, having a sum of near twelve millions in the hands of its bankers, to draw out and apply three millions of that sum to the public service, without, however, subjecting the public to pay 90,000*l.* per annum for the exercise of that right. Such, however, was the agreement, and it has been, as all agreements ought to be into which the public enter, whether improvidently or not, strictly and rigidly performed: and this loan, as it is called, went on from the year 1806 to the year 1814, when it became payable, and when it was discharged, together with the interest upon it, which amounted, during the eight years and eight months that the loan was in operation, to the sum of 780,000*l.* which sum I maintain was paid by the public, for the use of three millions of its own money, during a period, in which the bank held constantly, exclusive of these three millions, an aggregate amount of public balances, fluctuating betwixt 5½ and 8½ millions; and this is one, I am sorry to add, of the many transactions, in which the public interests have been most improperly and unjustly sacrificed, to swell and aggrandize the already enormous treasures of the bank of England.

We now come to the year 1807; a memorable year in these transactions. In that year a committee of this House, known by the name of the committee on public expenditure, applied itself to the investigation of these and of other transactions subsisting betwixt the public and the bank. This committee was presided over by an hon. gentleman, now in his place, the member for Corffe Castle (Mr. Bankes), whose zeal, abilities, and perseverance, are most particularly conspicuous on all subjects connected with the finances and public expenditure of the country. The committee was also most powerfully assisted in its labours by an hon. member of it, now, unfortunately for the country, no more, I mean the late Mr. Henry Thornton, whose practical knowledge and experience, industry and habits of life, pre-eminently qualified him for investigations of this nature, and whose private character gave a sanction to every act of his public life; and in the very able and clear report,* which was presented from that committee, will be found, the first combined view that ever was given to this House or to the public; the first combined view I venture to assert, that ever met the eye of the executive government; stating the aggregate amount of these deposits in the hands of the bank; accompanied too, with what was not the least valuable part of this valuable report —a perspicuous, unanswerable argument, showing the extent to which the possession of these deposits was profitable to the bank; demonstrating, that the bank was deriving a profit from these public monies, equivalent to about five per cent. per annum, upon their whole aggregate amount; and that the benefit at that time, and for some time previous to it enjoyed by the bank from that source, amounted to a sum fluctuating betwixt five and six hundred thousand pounds annually. And to this report, and to the labours of the enligtened members by whom it was framed, are the public indebted, solely, and exclusively, for the advantages derived immediately afterwards under the arrangement made by Mr. Perceval with the bank in 1808; advantages however inadequate, as I know they were in the estimation of many of the most distinguished members of that committee, to what the public were entitled to receive — short in my view, by at least one half, of what the public ought to have enjoyed, amounting, nevertheless, to a public saving of between two or three hundred thousand pounds per annum—for the whole of which, I repeat, we are indebted to the committee of 1807.

This report no sooner made its appearance than Mr. Perceval, as chancellor of the exchequer, came forward, and, with the report in his hand, claimed from the bank a further participation in the profits deriveable from these deposits, and also a reduction in the charge for the management of the public debt. The communications and correspondence which took place between Mr. Perceval and the bank on that occasion, were laid upon the table of this House; they now form a part of our parliamentary records, and are of course accessible to any member who has a taste for investigations of this nature. I abstain, therefore, from troubling the House with any details with respect to this negociation, observing only, that in the papers produced, will be found much curious and important information upon the whole of this subject; and, that after many discussions, in which the bank resisted but as it appears to me very feebly resisted Mr. Perceval's claims, the following arrangement was concluded. The bank agreed to advance immediately another loan (as it was again called) of three millions to the public, without any charge of interest: The bank also acquiesced in the withdrawing of a sum of half a million from the balance of unclaimed dividends in their hands, to be applied to the public service, where it has remained ever since; they also agreed to a reduction equal to about one fourth in the then existing charge for the management of the debt; and the whole saving, effected by this arrangement, amounted to the sum of about 242,000*l.* per annum.

In reviewing this arrangement of 1808, when the bank advanced three millions without any charge of interest, and contrasting it with what happened only about twenty months before, when the bank required to be paid ninety thousand pounds per annum for a similar loan one cannot avoid asking, what was the cause of this different conduct of the bank at those two, not very distant periods? The amount of public money possessed by them, (the only ground upon which both the arrangements were founded) was nearly the same in both instances: nay, it appears from a statement formed from the documents now before us, that the aggregate amount of deposits possessed by the bank was something higher in 1806 than in 1808: and nevertheless they charged the public with 90,000*l.* per annum, in 1806, for doing what, in 1808, they did for nothing! To what principle is this to be attributed? Can we discover in it any of that spirit of moderation, which I think the public had, and have a right to expect from bank? Any thing of that unceasing anxiety to promote the interest of the public"*—about which we have heard so much, and seen so little? or is it not rather to be traced to another principle?—a principle, that I have heard avowed, maintained, and defended, not only by many proprietors, but also by directors of the bank elsewhere? and which is this—"that the bank of England are a trading company—that their directors are bound not only by their interests, but by their oaths, by all lawful means" (and God forbid I should be supposed to impute to them any means which are not strictly and rigidly lawful!) "to make all the profit they can for their proprietors? and that, acting upon this commercial and mercantile principle, in all contracts and agreements with the public, it is their business to make the best bargain they can for themselves." The House will determine to which of these two principles to ascribe the conduct of the bank, with reference to these two transactions in the years 1806 and 1808.

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* For a copyof this report, see Vol. IX. appendix p. lxxxvii.

Another observation here occurs to me. The bank advanced loans in 1800, in 1806 and again in 1808, upon the distinct ground of thereby giving to the public a participation in the profits they were deriving from the possession of these public deposits and yet it is not less curious than true, that neither the committee of 1807, nor Mr. Perceval in 1808, could extort from the bank any admission of the existence of these profits: the evidence of the directors before the committee, amounts indeed, to a positive denial of it; and Mr. Perceval, in his letter to the bank in January 1808, though he gets the three millions from them, laments "that he should not have been so fortunate in the several conferences which he had held with them as to convince them of the truth and accuracy of his principle, with reference to the advantages derived to the bank from these deposits."

But, though the bank have refused us all verbal admissions, these several loans are practical admissions of the existence of such profits, and also of the right of the public to a participation in them. Nay the arrangement of 1808, particularly that part of it which refers to the reduction in the charge for the management of the debt, goes still further; for it is a precedent to which we may now, or at any future period during the charter, refer if necessary, to show that nothing passed at the period when the charter was renewed—that no terms or expressions are to be found in the act of 1800, upon which the renewal of the charter was founded which operates as a bar to our making any regulations either with respect to the deposits of public money, or to the charge for the management of the debt, which the legislature in its wisdom may judge conducive to the interests of the public.

I am not now aware of any thing having occurred with respect to this branch of the subject, betwixt the years 1808 and 1814, upon which it will be necessary for me to make any observation to the House In 1814 the loan of 1808, limited like that of 1806, to the duration of the war became payable; when the right hon. gentleman, the chancellor of the exchequer, proposed to the bank, that it should be prolonged to the 5th of April next,—distinctly stating that he made this proposal upon the grounds of the public balance having remained "undiminished" in the hands of the bank since 1808, and expressing, at the same time his strict adherence to all the principles, and all the reservations, with which Mr. Perceval had thought it necessary to guard himself in his arrangement with the bank at that period. The bank (as well, indeed, they might) agreed without hesitation to this proposal of the chancellor of the exchequer: and this brings us down to the fifth of April next, when all agreements on the subject of these transactions will expire, and when we shall be competent to propose any other arrangements respecting them, which the interests of the public may appear to require.

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* Vide the letter from the bank to Mr. Perceval in the "Papers relating to the bank of England," presented to the House in February 1808. Vol. X, p. 242.

If I do not fatigue the House, I should now wish to submit to them a brief recapitulation of the advantages gained by the bank, and of the corresponding loss in interest of money sustained by the public, arising out of the possession by the bank of these public balances since the year 1806, assuming their aggregate amount, during the whole of this period, to have been eleven millions and a half.

In 1806, as I have already shown, the bank advanced a loan of three millions to the public, at three per cent. which reduced the aggregate amount of the deposits from eleven millions and a half to eight millions and a half.

The interest on eight millions and a half is, per annum ...	£425,000
To which add interest on the loan of three millions	90,000
Together	515,000

From 1806 then, to 1808 the bank held a public treasure, amounting to eight milions and a half, and made a profit thereon; or, the public lost thereon in interest of money at the rate of 515,000*l* per annum.

In 1808, the bank advanced another loan of three millions, which reduced the deposits in their hands from eight millions and a half to five millions and a half.

The interest on five millions and a half is, per annum ...	£275,000
To which add, as before, on the loan of 1806	90,000
Together	365,000

From 1808 then, to 1814, the bank held a treasure belonging to the public of five millions and a half, and made a profit, or the public lost in interest of money thereon, at the rate of 365,000*l.* per annum.

In 1814, the loan of 1806 was discharged, and the amount replaced in the possession of the Bank, by which the aggregate amount of deposits was again raised from five millions and a half to eight millions and a half.—The interest on this is per annum, 425,000*l.* From 1814 then, to the 5th April, 1816, the Bank will have held a public treasure of eigth millions and a half, and we shall have been paying to the bank at the rate of 425,000*l.* per annum, for taking care of it.

Having now endeavoured, very imperfectly, I am afraid, but in the best manner I have been able, to put the House in possession of the nature and progress of these public deposits at the bank, together with the effects produced by them, both upon the bank and upon the public; having stated, that the profit derived by the bank from this source, and the loss sustained by the public in interest, during this period, has fluctuated betwen 365,000*l.* and 515,000*l.* per annum, and that its present annual amount is about 425,000*l.*; it seems natural that we should inquire, and it is an inquiry to which I presume to invite the House, what is the nature and value of the service performed by the bank, that can have entitled it to so large, so ample, so munificent a remuneration? And, in the investigation that I have felt it my duty to make on this subject, I can assure the House, that I have spared no pains, that I have shrunk from no labours, and that, anxious neither to deceive myself, nor mislead the House, my greatest anxiety has been to arrive at the truth: after having then carefully examined every document produced to us upon this subject, and after communications thereon with honourable friends of mine, and with practical men of business, whose judgment on these, and on all other subjects, I know to be greatly superior to my own, the result of all my inquiries has been to satisfy—to demonstrate to me—that the service performed by the bank of England, for which the bank has received, during the last ten years, a remuneration exceeding four millions sterling, is nothing more than a common ordinary banking transaction; in its character precisely the same as that which probably subsists betwixt every gentleman who now hears me, and his private banker: simple in its nature, free from all complication, exposing the bank to little risk or trouble, and neither requiring, nor in point of fact having any extensive establishment of clerks or officers necessary for carrying it into execution.

I have also, Sir, felt that it might be advantageous to ascertain, so far as it may be practicable to do so, the rate at which it is probable this service would be performed for the public—if there were any competition to which we might resort; if, to use a homely expression, there were a "second shop," to which we might go; if there were for instance, a second bank; or if it were advisable to employ private bankers for transacting this public business. Now, Sir, I beg not to be misunderstood in what I am here saying: I am not advising the establishment of a second great national bank,—though there is no mean authority, and of modern date, in recommendation of a measure of that kind; nor am I proposing that private bankers should be employed on this occasion,—although, if the unreasonable conduct of the bank should force us to resort to such an alternative, I am confident there would be no difficulty in making such arrangements, with four or five of the principal banking-houses of this metropolis—in establishing such a system of checks, control, and securities, as would practically render such a deposit in their hands just as safe as it now is with the bank of England: I am however, recommending nothing of the kind; and I make this reference merely for the purpose of forming a sort of standard, by which we may be enabled to measure and ascertain the value of this service performed for us by the bank; and, Sir, I venture to affirm, as the result of various communications which I have had with many of the principal bankers in London and Westminster, on this subject, that if private bankers were employed in this service, there is not a banking-house in the metropolis that would not consider its prosperity established upon the most solid and permanent basis, and its fortune in a manner made, if this branch of public business were secured to it, with a remuneration of 26,000*l.* per annum! If, then, I am correct in what I now state, as I most conscientiously believe I am, what have we been doing for many years past? Why, we have been paying to the bank half a million per annum, and are at this moment giving to them 425,000*l.* for a service, which, if there were any competition, would be performed for, and which is, therefore, worth no more than 25,000*l.* Why then, I here call upon the House, I ask directors of the bank, who are members of this House, and who, as legislators and representatives of the people, have duties to perform to the public, as well as within the narrow circle of their own proprietors, I ask them, whether, under any circumstances in which the country could be placed, but particularly referring to the circumstances of financial difficulty and pressure in which we have been during the last twenty years, groaning under the weight and burthen of taxation—unavoidably so, if you please—vexed, harassed, and tormented, by a swarm of petty, paltry, teazing taxes, the combined produce of which falls infinitely short of the sum that we have been thus lavishing on this great corporation, already bloated with wealth and prosperity—I ask you, whether it be a thing fitting and becoming in itself?—on the contrary, whether it is not a most ungrateful return to that people, who, with a manliness and fortitude, which have no parallel, have borne up against and supported a weight and pressure of taxation that is without example in the history of the world—does it not, I say, excite in us feelings of disgust and indignation, that we should be squandering upon this wealthy, this opulent company, so large, so vast, so extravagant a remuneration, for the performance of a service so simple, so limited, so circumscribed in its nature and operation, as I have described, and in my conscience I believe, truly and correctly described, the nature of this service to be; and with this observation I shall close, Sir, what I have to submit to you on the first branch of this subject.

I have already trespassed at such length on the time of the House, that I can truly assure them, that it is not less satisfactory to myself to state, than it will be to the House to know, that in what I shall have to offer them on the second branch of the subject, namely, on the charge for the management of the public debt, I shall be comparatively short. But before I submit to you any observations hereon, I am anxious to express the sense I entertain, in common, I believe, with every individual in the country, as to the very able, judicious, and satisfactory manner to the public, in which this important and extensive branch of our public business is carried on at the bank. No person is more sensible, no person more ready to acknowledge, than myself, the perfection of that system, under which this great machine, if I may so express myself, is managed and conducted by the bank of England. But perfect, Sir, as this system may be, and I believe is, satisfactory as I know it is to the public, we have nevertheless witnessed within our own times two instances, in which a considerable reduction has taken place in this rate of charge: and as the national debt, upon which it operates, has increased since the last arrangement was made upon this subject in 1808, with a velocity and to a degree that has neither parallel nor precedent in any former period of our history, during the same space of time—it will now be for the wisdom of parliament to consider—particularly referring to the situation in which the country now finds itself, when, without subjecting myself to the imputation of despondency, (for I am not one of those who despond of the country) I nevertheless feel myself warranted in asserting, that unless a system of economy, liberal if you please, but at the same time strict and rigid, pervade every department of the state, it will be impossible for us to go on and keep our faith with the public creditor:—under those circumstances, Sir, it will be for the House, in its wisdom, to consider, whether we are not entitled to look to the bank for a further, and still more considerable reduction than took place in either of the two former instances to which I have alluded, in this item of our public charge. And in the hope of affording some assistance to the House in forming its judgment upon this subject, I beg leave to submit to them the following facts:—

In the year 1786, Mr. Pitt reduced the charge for managing the debt, from 562*l.* 10*s.* per million, at which rate the bank had been paid from the year 1742, to 450*l.* per million, operative upon the whole amount of the unredeemed debt, which at that period was about 224 millions, and the charge of management upon it, at this reduced state, amounted to about 100,000*l.* per annum. Now, Sir, I know it to have been the opinion of many well-informed and enlightened persons in those days, that this reduction did not go far enough; and there is, in particular, a letter on this subject, amongst our parliamentary documents, addressed to the treasury at that period, by the commissioners for auditing the public accounts, to whom the subject had been specially referred, from which, if the House would indulge me, I should wish to read to them a few short paragraphs, as describing, in terms better than I can do, the nature and value of this service; and also as containing some observations on the necessity of public economy and retrenchment, which, if applicable to the situation in which the country then stood, with a public debt of something more than two hundred millions, and with a peace establishment of little more than five millions, will, I think, be found to apply with tenfold and accumulated force to the present state of the country, when our debt exceeds eight hundred millions, and when we have lately heard of a peace establishment of nineteen millions. The letter is dated 18th January, 1786, signed by these commissioners, addressed to the treasury, and contains what follows:

"My lords; your lordships having been pleased to refer, for our consideration, the enclosed memorial of the court of directors of the bank of England, praying the annual allowance of 6182*l.* 4*s.* 10*d.*, for the charges of management on 10,990,651*l.* 10*s.* 4*d.*, five per cent. annuities, funded at the bank of England, from navy, victualling, and ordnance bills; We have, with due attention, considered the said memorial, and find the sum prayed for, properly calculated, according to the rate usually allowed for the like service.—We think it, however, our duty upon the present occasion, to represent to your lordships that the annual sum now paid to the bank for the charges of managing the public annuities, is of considerable magnitude. If the rate hitherto adopted continues to be allowed, it will amount to upwards of 120,000*l.* annually; a charge which has increased with the public necessities, and is now, in our apprehension, much beyond the probable expense attending such management."

These commissioners then state different rates of charge for the management of the debt, allowed betwixt the years 1714 and 1742, and particularly advert to an allowance fixed by sir Robert Walpole in 1726, of 360*l.* per million, after which they proceed with the following observations:—"As the right honourable person" (sir Robert Walpole) "who presided at the treasury board in 1726, had acquired the public confidence by his eminent skill in adjusting and retrieving the national finances from the ruinous state after the South Sea scheme, it would be presumption in us not to subscribe to his judgment that 360*l.* per million was then reasonable and fitting for charges of management; and we take the liberty to suggest (what is indeed very obvious) that the commencement of every undertaking is usually the most expensive, and consequently when the bank had once provided additional clerks, and incurred such other new expenses as might be necessary in 1726, the same persons and accommodations (or nearly the same) would be sufficient to transact the payment of the dividends in several additional millions, without much increase of charges of management.—We believe that most other contractors have found that a moderate sum gained on a large quantity of any commodity, generally produces a greater profit than a higher price on a less quantity; therefore, if 360*l.* was a sufficient allowance when annuities on a capital of one million only were created, it should seem that the bank could well undertake the like service at a much lower rate; not only when the public necessities have unfortunately increased the capital of the national debt to the enormous load of ten hundred millions, but also when the consolidation of a variety of annuities must have lessened both the trouble and expense attending the management thereof.—In these times when the situation of this country requires every practicable retrenchment of expense, not only by abolishing useless offices, but also by reducing every necessary expenditure within certain and reasonable limits, we cannot pass unnoticed this heavy charge for management of the public debt, in addition to the allowances given to the bank after the rate of 805*l.* 15*s.* 10*d.* per million on the money received for the original contributions to annuities: and of 1000*l.* and sometimes more for receiving contributions to the lottery, together with the increasing advantages derived by the bank from the accumulation of unclaimed dividends and lottery prizes; and the very advantageous terms upon which they contract for the circulation of exchequer-bills, as well as the recent advantage of the custody of the cash for the navy and army services. Formerly the payment of annuities was transacted by the officers at the exchequer, and the lottery prizes were paid by a paymaster appointed under the lottery acts. These businesses therefore were probably transferred to the bank, under an idea that they could be done there cheaper, or with greater accommodation to the public. If they continue under the same arrangement, and all the allowances to the bank for charges of management are reduced to 360*l.* per million, as was settled in 1726 (though in our opinion that corporation ought to take less), they will receive a most ample sum of 76,000*l.* per annum, and yet there will be a saving of about 44,000*l.* per annum, which is nearly the interest of one million and a half at 3 per cent. But in case they should not accede to such reasonable abatement as your lordships shall think proper, we think it our duty to suggest to your lordships, that the service may, as we conceive, be performed in a separate office for a sum less than one-third of the present allowance to the bank, if it should not be thought proper that this business should revert to the exchequer.—The fund for the reduction of the national debt must be the surplus of the annual income above the annual expense. Every improvement that can be added to this fund by the strictest frugality, will lessen the necessity of increasing the national burthen by new taxes, and the subject will more cheerfully contribute his share to the public exigencies, when he sees that a spirit of economy is diffused through every branch of the receipt and expenditure of the revenue."

The House will perceive from what I have now read to them, that these commissioners, to whom Mr. Pitt specially referred the subject, who had, too, four years previously gone into a particular investigation of it, and who, of course, had access to every official source of information calculated to lead them to correct conclusions upon it, not only state that 360*l.* per million would, in their judgment, be an ample compensation to the bank for the performance of this service, but express an opinion, that the corporation ought to take less. The commissioners further assert, as a fact, that if the bank should not accede to such terms as the treasury might think reasonable, the service might be performed by government, either in a separate office, or at the exchequer, where this business was formerly conducted, for a sum less than one third of the allowance hitherto made to the bank; that is, for less than 187*l.* per million.

Mr. Pitt, however, from motives of which I am ignorant, instead of 360*l.* agreed to allow the bank 450*l.* per million —which allowance was sanctioned by an act of parliament, passed in the year 1791 (31 Geo. 3, cap. 33). And, from that period, down to the year 1797, the subject seems to have attracted no particular notice, either on the part of the legislature or of the public.

In the year 1797 the finance committee over which you, Sir, presided, with so much credit to yourself, and so much permanent advantage to the country, investigated the subject, and reported upon it; expressing, in their report, an unequivocal opinion as to the expediency of effecting a further reduction in this charge, but submitting the subject to the consideration and wisdom of parliament. This suggestion, however, as too often happens with other valuable suggestions from committees of this House, appears to have passed wholly unnoticed, from the year 1797 down to the year 1807, when the committee on public expenditure again examined and made a report upon it. I will not now consume the time of the House by going into details, which will be found much better given in the report itself; but there is one fact mentioned in it which appears to me to be so important for the House to notice, that I would entreat their permission to state and bring it to their recollection. The committee took a comparative view, made a comparative estimate of the increased expenses of the bank arising out of this particular branch of their business, during the antecedent eleven years, that is from 1796 to 1807, and contrasted it with the increased profits of the bank, derived from the allowance for the managing the debt, during the same period. They state that they find the increase in the number of clerks (of all the expenses of the Bank by far the greatest) to be 137; that the salaries of those clerks may be estimated upon an average at 135*l.* each, but that 170*l.* for each clerk would be sufficient not only to cover the salaries actually paid, but also to provide a superannuation fund for the maintenance of those, who, from age or infirmity, might become no longer serviceable to their employers: 137 clerks, then, at 170*l.* each, create an annual charge upon the bank of about 23,000*l.* The committee further observe that one half, or at most two thirds, of the expense of clerks, would meet every other incidental charge of the bank, applicable to this branch of the business—such as law-expenses, losses from frauds and forgeries, annual allowance for buildings, &c. &c. Two thirds of 23,000*l.* or about 15,000*l.* would bring the whole amount of the increased expenses of the bank to about 38,000*l.* per annum. The committee next proceed to show, that the increase in the allowance, payable by the public to the bank for the management of the debt during the same period, exceeded the sum of 155,000*l.*—on the side of increased expenses, then you have 38,000*l.*—on that of increased profits 155,000*l.*—leaving to the bank a clear net additional income of about 115,000*l.* per annum, arising wholly out of the increased burthens and pressure upon the country!

Mr. Perceval, therefore, in consequence of what was stated in this report, claimed on the part of the public a further reduction in this charge, and the negociation ended in an agreement with the bank, which reduced the allowance from 450*l.* to 340*l.* per million on six hundred millions of the debt, and to 300*l.* per million on all excess beyond the six hundred millions: at this rate the bank have been paid since the year 1808—and the annual amount of this charge at present is, as I have before stated, about 275,000*l.* But this is not all—the bank make a further charge of 800*l.* per million upon every loan raised, and a sum of 1000*l.* is paid to them upon every lottery contract: the amount of which two items in the year 1815, exceeded 30,000*l.* Upon these two charges I will only observe, that as every loan raised, lays the foundation of a future and permanent source of annual profit to the bank, it seems unreasonable that any allowance whatever should be made to the bank, merely for receiving the instalments on such loans;—and on the subject of the lottery, one might imagine that the benefits which the bank derive from the balance of unclaimed lottery prizes constantly in their possession;* would form a very adequate compensation to the bank, for transacting all they have to do, with reference to the lotteries.

There are three other charges made by the bank against the public, trifling certainly in amount compared with the sums to which I have been just adverting, but which appear to me to be so objectionable in principle, that I must request permission of the House to make a short observation upon each of them. The first is an allowance of four thousand pounds per annum paid to the bank under the denomination of "an allowance to the bank for its house expenses!" "house allowance" as it is sometimes called: what the ground was upon which this claim was originally made upon the public, I have not been able to discover. All I know of it is, that when the bank was first established, they lent their whole capital to the public, at that time consisting of one million two hundred thousand pounds, at eight per cent. interest, making an annual charge for interest of 96,000*l.* to which was added this sum of 4000*l.* for "house expenses," constituting together, that annuity of one hundred thousand pounds referred to in every act of parliament, since the year 1695, that has reference to the bank charter. I am aware, Sir, that if the bank stand rigidly upon their chartered rights, we cannot deprive them of this allowance of 4000*l.* for "their house expenses:" but Mr. Perceval, in his arrangements with the bank in the year 1808, felt, what every person must do, in referring to the present situation of this great corporation, such a disgust at this charge, that he made a distinct proposal to the bank for its suppression. The bank, however, appear to be very much attached to this allowance, and refused to part with it; giving as the only reason for their refusal, that they have been in the possession of it ever since the year 1695.

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* Amounting upon an average to a sum little short of 100,000*l.*

The second item to which I wish to advert is one almost as venerable as that which I have just discussed, in point of antiquity, equally objectionable in principle; but differing, as I humbly conceive, from the other in one respect, namely, that the bank cannot contend for its continuance, upon the ground of their chartered rights. It is a charge of 1898*l.* per annum made for the management of four millions of the public debt purchased by the bank of the South sea company in the year 1722, and which now constitutes a part of the bank capital lent to the public at 3 per cent. interest. I will only observe upon this item, that as here no longer exist any transfers or payment of dividends applicable to this part of the public debt, there appears no reason whatever why any charge should be allowed to the bank for the management of it.

The third and last item, to which I wish to call the attention of the House, is a charge that appears to me to be of a most unwarrantable nature indeed, and upon which I could, and should be tempted to say a great deal, if, after having occupied so much of the time of the House as I have done, I did not feel it imperative upon me to come as soon as possible to a conclusion. The charge in question, Sir, is an allowance paid to the bank since the year 1806, of one-eighth per cent.—half-crown in the hundred pounds—on all sums of money voluntarily taken to the bank by persons assessed to the property duty, for trades, offices, or professions. And the history of this charge is shortly this:—In the act of the 46th of the king (cap. 65.), the property duty act of 1806, there is a clause which gives an option to individuals assessed for trades, offices, and professions, either to pay their tax in the ordinary way to the parochial collectors, or, if they prefer it, as some do from a notion (a mistaken notion as it has since proved) of thereby keeping their return of income secret, to pay it into the bank of England. There is another clause in this act, enjoining the bank to pay over all money thus voluntarily brought to them, into the exchequer, within one week from the time of its receipt. The bank have nothing whatever to do with the assessment, and the whole transaction on their part consists in receiving the money thus brought to them, giving a receipt for it, allowing a discount, in cases where the payment of the duty is anticipated, and in accounting for it within one week to the exchequer. Now, Sir, when we consider the great benefits enjoyed by the bank from its other transactions with the public; and when, in particular, we advert to this year 1806, when the bank was receiving more than half a million a year merely for acting as the public banker, as well as other immense profits, of which, in less than two years afterwards, they agreed to make an abatement to an extent exceeding 240,000*l.* per annum—one might have expected, that this trivial, this insignificant service, would have been performed by the bank gratuitously. No such thing, Sir, the bank condescended to ask, and the government agreed to pay, a commission of one-eighth per cent.—half-crown in the hundred pounds, a stock-broker's commission—for a service for which, as it appears to me, the bank were not justly entitled to receive one shilling. The charge for this trifling service, during the last ten years, has amounted to a sum exceeding three thousand pounds per annum; and so strongly do I feel the objection to it in principle, that if the property tax should unfortunately be prolonged beyond the present year, and unless the continuance of this allowance to the bank should be distinctly disavowed, I pledge myself to bring forward a proposition for its future and entire suppression.

Having now, Sir, gone through every item of charge made by the bank against the public, to which, as it appears to me, a principle of economy and retrenchment, may, and in justice to the public, ought to be applied; having shown you that we are paying to the bank annually a sum of not less than 425,000*l.* merely for acting as our banker; that in addition to this, we allow the bank upwards of 300,000*l.* per annum, for the management of the public debt, for receiving contributions on loans and lotteries, for their house expenses, and other charges enumerated under the second branch of this subject; and, that besides these two sources of profits, the bank are at the present moment deriving, from the increased circulation of their paper since the passing of the restriction act, an additional income of 800,000*l.* per annum; making altogether an aggregate amount of gross profit, derivable by the bank of England, and arising out of its connexion with the public, exceeding annually, one and a half million sterling; having stated all this, I am aware that it may be said to me, "admitting every thing you have asserted to be correct and true, and regulations to be proposed, calculated for the accomplishment of your object, where will be your remedy if the bank of England should resist?" And this, Sir, is a feature in the subject, which I should have considered it extremely remiss on my part, to have overlooked: the first answer, then, that I should be disposed to give to an inquiry of this sort, would be this—that I do not believe the bank of England would resist, if the House of Commons, exercising its undoubted and constitutional privilege of vigilance and control, shows a resolution—a determination—to watch over, uphold, and maintain, the just and legitimate rights of the public, with reference to these transactions: under such circumstances, Sir, my belief is, that the bank would not resist; I say, if this House shows that determination, not the chancellor of the exchequer, not any chancellor of the exchequer: for in the times, and under the circumstances, in which we have lived during the last twenty years, and now live, the conviction of my mind is, that no chancellor of the exchequer is, or can be, a match for the bank of England, in negociations of this nature. Why, Sir, is it not notorious, that in all such negociations, there exist certain influences on the side of the bank (the particulars of which, I purposely abstain from specifying), but which, though all-powerful, irresistible, in Downing-street, would be impotent and unavailing within the walls of this House? Is not your whole financial history, during the last twenty years, filled with proofs of this? and if any evidence were required to show practically, the benefits which the country is likely to derive from the interference of parliament, in transactions of this kind, I have only to refer you to what passed no longer ago than in the last session, on the subject of the Stamp duties; when I maintain, without fear, if not of contradiction, at least of refutation, that in consequence of this subject having been merely mentioned by a noble friend of mine in this House,* and of the repeated discussions which the House was afterwards pleased to go into upon it, the public are at present enjoying a saving to the amount of between 30,000*l.* and 40,000*l.* per annum, upon the single and insignificant article of the composition payable by the bank, for stamp duties on their notes; and this, by the establishment, for the first time, of a principle, as just as it is obvious, namely, that the bank of England should pay to the stamp duties, as all other issuers of paper throughout the kingdom pay, that is, in proportion to the amount of their notes in circulation—which principle was wholly overlooked, or neglected (or, perhaps, its accomplishment prevented by the exercise, on the part of the bank, of those influences to which I have just alluded), in the two former negociations, which took place in 1804 and in 1808 on this subject—negociations—I desire the House to observe, conducted altogether in Downing-street, and which never particularly attracted notice, or produced any discussion in this House—but, in consequence of which neglect, or oversight, the stamp revenue has been deprived of, and the bank have, improperly as I conceive, put into their pockets, between the years 1804 and 1815, a sum amounting to 535,000*l.*! I assert this from a calculation founded on parliamentary documents, now on your table; I pledge myself for its accuracy; and I undertake to prove it at your bar, if required.

It is then in this House, and through the medium of this House only, that the interests and rights of the public can be secured in all negociations of this nature with the bank; and I repeat it, if the House of Commons will interfere, my conviction is, that the bank will not resist. If, however, I should be disappointed in this expectation; and if the bank, unmindful of what it owes to the public, forgetting that it has duties to perform towards the public, as well as within the limited circle of its own proprietors—I will go farther, and, as a proprietor of bank stock myself, add, that if the bank, taking a narrow, contracted, selfish, and therefore mistaken view, of its own real permanent interests, should, resist regulations founded in fairness, equity, and justice,—in such a state of things, Sir, I say it must be a consolation to us to know, and I assert it confidently, that we have a remedy within our own reach; and, though I, for one, should certainly prefer to see these services continued under the management of the bank, provided the bank would henceforth conduct them upon a system of fairness and moderation, it is, nevertheless, a remedy not only practicable, but free from much difficulty, and one which, I trust, parliament will have the courage and wisdom to adopt, if the conduct—or, I should rather say, if the misconduct—of the bank should drive us to the necessity of resorting to it.

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* Lord Archibald Hamilton.

I will not now trespass upon the time of the House, by going into all the details of those remedies to which I have just referred, as being within our reach: because, if the motion I am about to submit to you, for the appointment of a select committee for the investigation of this subject, should be acceded to, such details would be considered much more advantageously, in the first instance, in such a committee, than in the House itself. I would just observe, however, that one of those remedies,—namely, that by which the exchequer deposits might be made available to the public service, is given in detail in the correspondence now on your table betwixt Mr. Perceval and the bank, in 1808; and I will venture to add, that nothing would be found more practicable or easy than the application of economical regulations and arrangements, to other government deposits, now constantly unproductive to the public, in possession of the bank: from which a very important saving in interest of money might and would be effected. For instance;—let us suppose a balance in the bank to the credit of the treasurer of the navy of 500,000*l.* and that, at the same moment, the account of the treasurer of the ordnance should be exhausted and want replenishing,—what happens, according to the present practice? Why, this happens: exchequer bills are sent into the market—bought up, perhaps, in many instances, by the bank itself—but, by whomsoever bought, instantly creating a charge of interest upon the public; and, in this manner, the wants of the ordnance department are satisfied. Now I want to know what possible objection could be urged against the ordnance (in the case I have supposed) taking from the navy fund, at the bank, whatever cash the navy could spare; always depositing, in exchange for such cash, a corresponding amount in exchequer bills on the navy account? by which operation the exchequer bills would be kept out of the market, and interest thereon saved, for a time at least. But then I may be asked, what is to become of the navy, when that department shall want the money? to which I answer, that possibly there may, by this time, be on the ordnance cash account at the bank the means of repaying to the navy the sum originally obtained from it: but, if that should not be the case, let an examination be made into the state of the other government cash accounts, and the deficiency on the navy account might be supplied from an abundance of any of the other balances:—and thus might this economical principle, from time to time, be applied to and pervade the whole range of the public accounts at the bank of England. But it will be said, perhaps, what will be done, when no more cash can be spared by any of the government accounts at the bank? Why, this will be done: You will, in that case, resort, in the last instance, to that which you now do in the first; namely, send your exchequer bills to market! But this will not have taken place, till you shall have absorbed in exchequer bills, and rendered available to the public, perhaps, from four to five millions of cash, which, according to the present practice, is employed for the sole and exclusive advantage of the bank of England.

There is only one other observation, Sir, which I should wish to offer to the House, before I submit to them the proposition with which I am about to conclude. It has been observed, and by an hon. director, in this House, that this discussion to which I have felt it to be my public duty to invite the House, is calculated to be injurious to the public credit of the country. An assertion, than which one more absurd, or unfounded, appears to me never to have been made, upon this, or indeed upon any other subject. What, Sir, are we to be told, and by a director of our great national bank too, that a discussion, which has for its only object a considerable saving of the public money, can be injurious to the public credit of the country? Is, then, public credit better supported by public extravagance, than it is by public economy?—or, is it essential to public credit, that the bank of England should continue to divide amongst its proprietors, as it has done during the last seventeen years, under the denomination of bonuses and increase of dividends, millions and millions of money, in addition to, and over and above its old ordinary dividend of seven per cent.?—which ordinary dividend of seven per cent. be it noticed, was the highest rate of dividend that the bank ever was enabled to give to its proprietors from the year 1730, down to the passing of the restriction act!—a period of seventy years, during which we have seen the ordinary bank dividend as low as six and a half, as low as five and a half, and, during eleven years of that period, as low as four and a half per cent.! Is this, I ask, essential to the public credit of the country? Or, are we to understand that the market-price of bank-stock is the criterion, the standard by which we are to measure the public credit of the country? Why, Sir, we know very well that bank stock has risen in value, and is, on this very day, that I have the honour of addressing you, 125 per cent. higher than it was on the average of the whole year 1797, notwithstanding that, since that year, the bank has distributed amongst its proprietors upwards of seven millions of money, in addition to its ordinary dividend of seven per cent. In a word, is our public credit identified and dependent on the exorbitant profits of the bank of England? If, indeed, directors of the bank had come down to this House, and said to us, "If you deprive us of these profits, you will lower the market price of bank stock," they would have been intelligible—I should have understood them—but this would have been no argument whatever with me, for leaving these enormous profits in their hands. Or, if the directors were to state to us the very reverse of what we believe, nay, I may venture to say, of what we know to be the fact—if they were to tell us that the bank of England, instead of being as it is, the most flourishing and opulent mercantile body in the world, possessing, and deservedly possessing, the most unlimited degree of commercial credit and confidence, not only at home, but throughout every part of Europe, if, Sir, I say, instead of this, which we confidently believe is the situation of the bank, the directors were to show us, that the bank is in a state of depression—that it is struggling with difficulties—that it requires the utmost exertions on the part of its directors, to provide a moderate rate of dividend for the proprietors—and if, in such a state of things, the directors were to say to us, that the loss of such profits would be injurious to the credit "of the bank," here, too, they would be intelligible: but does any person believe, that the credit of the bank is in any danger, or that the public credit of the country can be affected either by this discussion, or even by the accomplishment of my object, in any other manner than to be improved by it?—Sir, I entreat the House to believe, that there is no individual, who appreciates more highly than I do, the public credit of the country. I consider public credit as the external evidence, not only of public prosperity, but of public character—as a commercial nation, it is one of the brightest jewels that belongs to you—it is that rock upon which our national greatness was originally founded—upon which it now rests—and by which alone we can perpetuate and hand it down to our posterity.

I have now done: and all that remains is for me to submit to the House the proposition that I now hold in my hand: and after having troubled the House at such length as I have done upon this subject, it will be unnecessary that I should say any thing as to the proposition, which is, indeed, of a nature and character that will explain itself; I find it necessary, however, just to bring to the recollection of the House, that after the production of a variety of papers in the last session of parliament on this subject, moved for by the governor of the bank and myself, I submitted to the House, certain resolutions of fact,* founded on the information contained in those papers; and that the governor of the bank also presented his resolutions,* exhibiting the view taken by the bank of England of this subject. I will not at present enter into any discussion with reference to these respective resolutions, further than to observe, that in the resolutions of the bank no attempt is made to disprove or even to deny, any of the facts stated in the resolutions which I had the honour of submitting to you. The late period of the session at which these two sets of resolutions were tendered to the House precluded the possibility of any satisfactory discussion upon them at that time—and a mutual understanding took place, that the further consideration of the whole subject should be deferred, with a view to its being resumed in the present session. In conformity to that understanding I have framed the motion which I have now to offer to you, and in doing this I think I am entitled to rely upon the support of every director of the bank of England, because my proposition does nothing more than carry into effect, the last of the nine resolutions presented to us by the bank in the last session, which I will now beg leave to read to the House, and which is in the following term; "That, whenever the engagements now subsisting between the public and the bank shall expire, it may be proper to consider the advantages derived by the bank from its transactions with the public, with a view to the adoption of such arrangements, as may be consistent with those principles of equity and good faith, which ought to prevail in all transactions between the public and the bank of England."

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* See vol. 31, pp. 763, 1001.

In the motion I now submit to you, Sir, the House will perceive that I have adopted not only the spirit, but the very language of this resolution of the bank of England. It is, however, impossible for me to sit down, without expressing the regret I feel, at having occupied so large a portion of the time of the House, as I have done, or without assuring them, as I now beg leave to do, of the gratitude I feel, for the forbearance and indulgence with which they have been pleased to receive what I have addressed to them upon this subject. I beg to move, Sir,

"That a select committee be appointed to inquire into the engagements now subsisting between the public and the bank of England, and to consider the advantages derived by the bank from its transactions with the public, with a view to the adoption of such future arrangements, as may be consistent with those principles of equity and good faith, which ought to prevail in all transactions between the public and the bank of England, and to report their opinions thereon to the House."

The *Chancellor of the Exchequer* said, he wished as much as possible to give credit to the hon. gentleman for the reasons of public duty which induced him to make this motion. He was much pleased with the very able manner in which the argument had been conducted; but at the same time he felt it impossible to coincide with the hon. gentleman in the propriety of the motion, considering, as he did, that it was unnecessary—and even dangerous to the public credit. It was unnecessary, because he conceived that the transactions between the government and the bank had received such an elucidation by the committee which had fully investigated this subject in 1807, and to whose proceedings the hon. gentleman had so much referred, as to require no further explanation. The accounts laid before that committee had been annually renewed ever since, by which means an entire view had been taken, from time to time, of the progress of the subject. He should in a few days submit to the House some propositions with regard to future financial arrangements with the bank; he should now, therefore, only make such comments on the statements of the hon. gentleman, as to him appeared necesssary. He would readily admit that the public were entitled to participate in the advantages arising from the deposits placed in the hands of the bank of England. But with respect to the restrictions on the cash payments of the bank, it was on public grounds that these restrictions had been imposed by parliament, and not with any view to the advantage of the bank, and yet, if he had understood the hon. gentleman (and if he was in an error, he hoped he might be corrected), it was asserted, that of the million and a half which the hon. gentleman had chosen to state as the profit derived by the bank from its dealings with the public, and in which he had claimed a share on the part of the public, no less a sum than 800,000*l.* had been stated by him to be derived from the increase of the circulation of bank paper arising out of the restrictions.

Mr. *Grenfell* was sorry to interrupt the right hon. gentleman, but he wished to be clearly understood as to the extent of any participation on the part of the public. He never meant his observations to apply to those profits which had arisen from the increased circulation of paper, though if those should be continued through such increase becoming a permanent currency, after July, he hoped some member in that House would consider it his duty to propose a regulation for the future. But this was no part of his proposition, which was confined to those profits which were produced from balances in their hands and their being managers for the public.

The *Chancellor of the Exchequer* was glad to find, that he had at least gained this point, that this large portion of the profits of the bank, as estimated by his hon. friend, must be put wholly out of the question. Upon the ground of this confession he would proceed to show, that from the appointment of a committee no benefit could be derived. The hon. gentleman had at much length stated the course of the various transactions that had taken place between the public and the bank, and had particularly alluded to the proceedings of the year 1808. The complaint then was, that the allowance to the bank for the management of the public debt was too high; but in that year a permanent and fixed allowance was made, to the effect, that until the unredeemed debt should amount to a sum of 600 millions, the allowance should be 340*l.* per million, instead of 450*l.* at which it previously stood. At that time the debt was not so high; but it was stipulated in the fourth clause of the act passed at that period, that from and after the 5th of April 1808, the sum to be paid for the management of the unredeemed debt, above 600 millions, should be only 300*l.* per million. Looking therefore, at the present state of things, he maintained that, during the continuance at least of the bank charter, there was no occasion to recur to the state of the management, as it was evident we could have no better bargain than we had at present. With respect to the other part of the argument of the hon. gentleman, the question as it appeared to him, divided itself into two heads; first whether the arrangements made in 1808 were founded upon fair principles? and second whether supposing that they were so founded, any circumstances had since occurred which might lead the government to expect from the bank a participation of profits to a larger amount than that already given? In stating a question like the present, he was fully aware that he was placed in a situation of difficulty and felt something of a collision of duties: on the one hand he must contend for as large a participation as the public could possibly obtain, and on the other, he had a debt of justice to perform, in not pressing upon the bank any claim which might be considered not to be well founded. The arrangements of 1808 had, as it appeared to him in their very nature, an appearance of fairness and rectitude. The committee of public expenditure had investigated the subject in a manner, he believed never to be exceeded; and, under such favourable auspices, the arrangement had been concluded by Mr. Perceval. Three millions at that time were accepted as a consideration for the public balances placed in the hands of the bank, and upon which no interest was charged. He wished to consider how far this grant was founded in equity. It appeared to him that the hon. gentleman had stated the case with some, he had no doubt unintentional, exaggeration; for it appeared as if he had thought that five per cent. could be obtained for the whole of the money placed in the custody of the bank. Assuming that the bank thought it necessary at least to reserve one quarter of the balances, then only upon the other three-quarters a profit could be made. Supposing, then, that upon eleven millions in the hands of the bank, eight millions might be turned to account, it was to be recollected, that the bank had advanced three millions without any kind of interest and gave up thereby nearly half of the advantages which they could gain. Considering, therefore, these deposits as capable of being lodged in no other hands he could not conceive that to give half the profits was too much for the trouble and expense occasioned. A distinction must be made between the balances lodged in the bank by the different departments in order to carry on the public service and the exchequer balances belonging to the Consolidated Fund. The former were deposited at the bank under the authority of various acts of parliament, as a security against misapplication or embezzlement. But the amount of those balances depended, in no degree on the bank, but was regulated entirely with a view to the public service, nor could the bank object to any economical arrangement by which it might be reduced. The mode suggested by the hon. gentleman appeared indeed to him objectionable, as tending to throw all the public accounts into confusion. If the paymaster-general, for instance, could draw upon the treasurer of the navy, the navy upon the ordnance, and the ordnance upon both in return, he thought such a scene of confusion would be introduced, as to produce effects the very reverse of public economy. But he admitted that it was the duty of every department to keep its balance as was consistent with convenience, and that of the treasury to control and check the whole. With respect to the exchequer balances belonging to the consolidated fund they were appropriated for the security of the public creditor, and it was admitted in the negociation between Mr. Perceval and the bank in 1808, that the public were entitled to the use of them, if they could be employed consistently with that security. But he (the chancellor of the exchequer) was convinced that the plan suggested to Mr. Perceval was in itself impracticable, and he had never met with one which could be carried into execution, without the concurrence and assistance of the bank. It must also be remembered, that any arrangement which involved the security of the public creditor was a subject of the greatest delicacy and difficulty (and he entered at some length into an explanation of his reasons for thinking so). If, then, the bank in 1808 granted nearly half of the profits they could possibly make, he thought that Mr. Perceval and the parliament were deserving of the approbation of the nation for having concluded so advantageous an arrangement. It remained, then, only to consider the second point, namely, whether, since the year 1808, such an increase of profits had been derived by the bank as justified a more extensive plan of participation? If gentlemen would refer to the accounts before the House, it would be seen, that instead of a great increase of the public balances in the hands of the bank since 1808, the average amount had diminished rather than increased. The annual average of the balances of public money, from February 1807 to February 1815, was, on the whole, 10,976,000*l*. being 850,000*l*. less than the medium of the same accounts for the year ending 1807. The balances then, it appeared, since 1808, were diminished rather than increased, as the hon. gentleman seemed to insinuate. What reason had we, then, to press the bank for any further participation? [Hear, hear!] Further—it must be owned, that the profits of the bank must be much greater in time of war than in time of peace; and instead, therefore, of the profits being greater, they would be much diminished, as in time of peace the interest and profit of money would proportionably decrease. On all these grounds, it appeared to him, that the hon. gentleman, instead of saying that it was to be expected that an increase should be made in our participations, might with more truth have expected a diminution. From all this it would be seen, that in 1808 an advance was made by the bank of three millions without interest, which was by a recent agreement still to be continued; and as he had the honour of stating last night, an additional loan of six milions, at only four per cent. had been obtained from the bank, which appeared to him a much more advantageous bargain for the public, under the present circumstances, than the advance of three millions, which had been continued during the war under the agreement made with lord Lansdowne. He would ask, what should hinder the bank from making 5 per cent. of the six millions so granted, by purchasing exchequer bills, instead of only taking four per cent.? He was sure no charge could be justly made against the bank directors, for he could bear testimony that the government had always found that the bank of England would willingly lend themselves to the public service, and afford every accommodation in their power, whenever occasion required it. With respect to the allowances alluded to, they were secured to the bank by the charter. [Mr. Grenfell inquired as to the last.] The chancellor of the exchequer said the last was adopted on the principle of those allowed by the charter. But there was one circumstance which he could not omit, and which gave a flat contradiction to what had been stated as to the exorbitant profits of the bank for managing the public money. What he alluded to was the mode in which they calculated the deductions to be made on the dividends, on account of the income tax. This operation rendered necessary at least 110,000 calculations, for which the bank only received 3000*l*. a year; whereas, had the same duty been performed by the collectors of government, the expense would have been at least 55,000*l*. He had thus shown that we had in 1808 received a participation in the profits, which was then found satisfactory to parliament after the fullest investigation, and that since that period an actual diminution had taken place in the balances deposited in the hands of the bank. Upon these grounds, then, he considered that to go into a new committee would be wholly unnecessary, and would take up the time of the members for no useful purpose. He could not help thinking also that such a committee would be dangerous to the public credit; and he hoped to show in a few days, more fully than he had done this night, that as advantageous an arrangement had been made as could reasonably have been expected; but at present it would be premature to discuss that subject. Conceiving, herefore, as he did, that it would be not only unnecessary, but dangerous, to form such a committee as was proposed he must give it his determined opposition.

Mr. *Bankes* said, that of all men in the House it could be least supposed that he would not be gratified by the compliment paid by the right hon. gentleman to the committee which sat on the public expenditure in 1807. He owned, however, that he had never supposed what that committee had done was so perfect and complete in every respect as to preclude the House from entering at any future time on an investigation into the same subject; or that they had left nothing for others to do after them. He could say that Mr. Perceval had not for what he had done the authority of that excellent man the late Mr. Henry Thornton, who, as well as himself, thought that what had been concluded with the bank fell short of the just expectations of the country. There was nothing in the act of 1808 declaring the bargain to be permanent. It was but too well known that parliament were always passing bills apparently perpetual, and as perpetually repealing them. The hon. gentleman then quoted the language made use of by Mr. Perceval to show that he did not consider the bargain made by him co-existent with the charter. The principle of permanency did not belong to any legislative enactment, and least of all could it belong to such a measure as the one in question. The right hon. gentleman had told them that it would be inconvenient and dangerous for a committee to interfere with the arrangement between the bank and the public; but advantages had been already obtained to the public from the bank, through the medium of a select committee of the House; and those advantages would not have been obtained without the labours of that committee. Had Mr. Perceval only lent himself a little more to the opinion of that committee, it was the opinion of Mr. Henry Thornton that much greater advantages would still have been obtained. The labours of a committee of the House might not be altogether without utility to the right hon. gentleman, any more than to his predecessor. A former committee had shown, that Mr. Pitt, lord Grenville, and Mr. Perceval were ignorant of the manner in which the transactions with the bank were carried on, judging from their public declarations. He wished to be placed in the same situation with the right hon. gentleman, and to possess the same information relative to the bargain concluded with the bank; and the examination would be best carried on through a committee. The former committee having sat with so great benefit, he did not see how the right hon. gentleman could resist that committee now. He hoped he was fully sensible of the advantages derived by the public from the bank of England, which he hoped would long subsist: but still it was the duty of the House to take care that the bank were not paid more than was proper for their services. Things could not be allowed to go on much longer, without a full investigation taking place into the circumstances of the transaction with the bank.

Mr. *Baring* said, he could not give a silent vote on this question; and whatever might be his interests derived from his connexion with the bank, he felt that he had also a duty to perform to the public as a member of that House. On the general subject he thought it unnecessary to go into detail; but he could not help saying, that the whole of his hon. friend's speech, introductory to the motion, was an inflamed representation of one side of the question only, in which he exaggerated the benefits which the bank enjoyed, and left out of view all the advantages which it returned to the public. If, as was the fact, the bank had divided of late only 10 per cent. on their capital without any bonus, making a dividend of 1,100,000*l.* how was it possible that they could derive, as his hon. friend stated, 1,500,000*l.* annually from the public, exclusive of all the profits arising from their other business? He would beg leave to call the attention of the House to a few of the profits which the public had derived from the bank. In the first place, on the last renewal of their charter, they advanced to the country three millions, without interest, for five years; next, the whole of their capital of eleven millions was advanced to government at the very moderate interest of three per cent.; next, for several years they had lent the sum of three millions without interest; and, upon the whole, taking other items into account, he thought himself justified in estimating, that a sum of between seven and eight millions had been paid by the bank to the public since the last renewal of the charter. Whether in 1808 it was or was not a proper compensation that was given by the bank for the deposits of public money, he would not now consider; but unquestionably it was a bargain, understood to last during the continuance of the charter. He would not now speak at any length of the general facilities afforded by the bank to government: one of these, however, that it gave a silver currency at present, to the whole country solely at its own expense, and which was likely, when replaced, to be attended with much additional expense. The bank had also, at very critical periods of the Peninsular war, furnished government with considerable sums in guineas, at the rate of twenty-one shillings each, which, if necessity had compelled their purchase in other quarters, could not have been obtained without a considerable sacrifice. He would add also, that by its charter the bank was entitled to be the depository of the public balances; nor was it then understood, in the ordinary times of peace, to be under any obligation to give a compensation to the public. It was true that government, by its own arrangements, might have greatly reduced these balances, but it would not have obtained equivalent safety and facility. He denied the assertion of his hon. friend, that the balances kept in the bank could produce to it any thing like an interest of 5 per cent. These balances were fluctuating in their nature, and could not, the moment they were deposited, be profitably employed. Speaking as a merchant, he never gave more than four per cent. for any money that might casually be placed in his hands. Whatever might be the case in the country, he knew no banker in London who allowed any interest for the balances in his hands; the bankers who had set out upon another principle had failed, and he should not be fond of depositing his money with any banker who allowed interest. The fair question then was, what was the amount of the extraordinary balances created by the war expenditure? for he conceived that the bank by its charter, was entitled to the advantage of the ordinary balances. He reckoned the extraordinary balances at little more than five millions, and of this sum the bank allowed government three millions (more than the half), in the shape of a loan without interest. Besides this, it had agreed to lend government six millions of exchequer bills at 4 per cent., which was in fact equivalent to a loan of 1,200,000*l.* without interest; so that out of the five millions of extraordinary balances, the public got 4,200,000*l.* without interest: and this was the whole amount of that outrageous bargain which the bank had got. His main objection to the motion arose from the exaggeration with which it was prefaced, and the sort of spirit with which it was proposed. Besides, nothing new could be discovered by a committee; the whole could only turn on the amount of the balances, and for these we either had or were about to have, the necessary accounts on the table. In fact, he thought the late bargain one of rather considerable hardship to the bank, as the balances must necessarily decline in peace.

Mr. *Tierney* said, he would trespass but a few moments on the attention of the House. He would not detain them by going into any details, in which he should do more harm than good, for he was quite sure that a more clear statement never had been laid before a British parliament, than that of his hon. friend who made the motion; and therefore if in any degree he should attempt to follow him, he would only be liable to the imputation of weakening what had already been so ably stated. All that had been urged by the chancellor of the exchequer were only so many grounds for going into a committee. Whether the right hon. gentleman or his hon. friend were right or wrong it was not for him to know. A sum was stated which might be saved to the public—this was enough to call for the investigation of a committee; for whatever expense was saved was something taken from the amount of our taxation. The question divided itself into two branches; first, The management of the national debt: secondly The balances in the hands of the bank. As to the first, the chancellor of the exchequer had answered, that there was a difficulty arising from the charter. But this again was denied by as good an authority, the chairman of the finance committee (Mr. Bankes). At the recommendation of the committee, the act of 1791 had been altered; and it would be an extraordinary circumstance indeed, if in 1816 they could not exercise the same authority over an act passed only eight years before, as had been done in 1808, over an act passed so long before as 1791. This was a reason for going into a committee; and whether such was or was not the case, the report of the committee would be satisfactory. The chancellor had asserted, that something conclusive had been arranged in 1808; but here again he referred to another authority which he thought rather better than his. The chancellor of the exchequer had a divided duty to perform. On the part of the public he would be naturally desirous of making the best possible bargain; but it was to be recollected, also, that he was a sort of middle man between the public and the bank. He could hardly lose sight of the many advantages he had derived from the bank, or avoid taking into consideration, out of how many difficulties the bank had relieved him. It was for the committee to consider whether the bargain was one which was proper and advantageous for the public. His hon. friend who spoke last had alleged, that the profit in the balances was overstated; for no banker ever made the full amount of interest on the balances in his hands—never more than three-fourths. This might be true with respect to private bankers; but the case was altered, when a body on a million being asked from them, had only to set down a million, and they could make the million. The deposits in the hands of the bank of the public money, whether they were aware of it or not, were an additional source of profit, at the rate of five per cent. The bank were certainly right in trying to make the best bargain they could; but the House on the part of the public, were also entitled to make the best bargain they could. The chancellor of the exchequer had talked of the moderation of their charge for the incredible labour of no less than 110,000 calculations necessary to be made in receiving the property-tax on dividends. Now, he had learned at school that a division by ten was one of the easiest operations. But the right hon. gentleman added, that the same amount of calculations made by the usual collectors of taxes would cost 55,000*l.* instead of the 3000*l.* charged by the bank. By-the-bye, if the bank directors were thus collectors of the public money, they had no business in that House: this, however, was a matter in which he would not turn informer against them. But, as has been justly observed in a late able pamphlet on this subject, the bank appeared to consider the rule by which they are to measure the moderation of their charge to be the saving which they effect to their employer, rather than a just compensation for their own trouble. What, added the writer, would they think of an engineer, if, in his charge for the construction of a steam engine, he should be guided by the value of the labour which the engine was calculated to save, and not by the value of the labour and materials necessary to its construction? In his opinion, a stronger case for inquiry before a committee had never been laid; seeing that the former inquiries had only partially investigated and partially remedied.

Lord *Castlereagh* thought it his duty to state the grounds on which he should resist the motion. The question was, whether or not any satisfactory reason had been stated why the House should appoint a committee? He was not satisfied with the grounds on which the hon. gentleman rested his motion. The hon. gentleman had preferred making a motion for a committee, to proposing to the House any specific measure, and had thus got over the difficulty in a very easy way; but the principle of parliament required that in such a case some specific measure should be proposed. For the sake of the public credit, it was necessary that the bank should be kept in a flourishing and independent situation: now, it was plain that any unnecessary inquiry into its affairs would be to its prejudice, and, so far, to the prejudice of the country, by affecting the public credit. One of the great characteristics of the bank of England was, that government did not interfere in the management of its affairs. In 1808 there had been an inquiry into the general state of the country, including the affairs of the public, with which the bank was connected. All the facts of the case, as between the public and the bank, had been as fully laid before the House by the report of the committee then appointed, as they could possibly be by any committee now to be appointed. It only remained for the House to consider whether, at present, the public had a fair participation in the profits of the bank; and he thought that the appointment of a committee was not necessary in order to enable the House to make up its mind on this point. The great feature in the profits of the bank, at which the motion of the hon. gentleman aimed, was that derived from the circulation of their notes. On this subject he most strongly deprecated parliament doing any thing to make a profit of what was to be considered as a public calamity. If such a notion went forth as that parliament intended this, it would produce a most mischievous effect. This was clearly what the hon. gentleman pointed at, although in his explanation he had qualified it by saying, that he only meant the public to participate, in case the bank restriction act was made more permanent. Now, on this subject, he was clearly of opinion, that the only security which the public could have was, that parliament on its behalf and as its representative, should have no interest in the continuance of that act. He was not quite prepared to say that it would be a breach of faith with the bank to alter the regulation of 1808; but that arrangement had been made with so much deliberation and patient investigation of the subject, that unless a very grave case of expediency was made out, it would not become the House to alter it. The noble lord then took a view of the benefits which the public received from the bank. The annual amount of its advances to the public was 443,000*l.* The public received in all more than one half of the total profits of the bank: 280,000*l.* was all the charge made by the bank for the whole administration of the public funds of the country, and it was to be considered that the bank was the only establishment that could undertake this.

Mr. *Ponsonby* spoke shortly for the motion. The inquiry for which his hon. friend wished was simply, whether in certain dealings between government and the bank of England, the latter gave a proper remuneration for the profits secured to it? How, then, could it be said that the public credit or the credit of the bank was implicated by any such inquiry? In talking of the benefits which the public received from the bank, it was to be considered, that when the bank had originally agreed to lend its capital to the public at 3*l.* per cent. it was abundantly compensated by a provision, restraining any other corporation from rivalling it or entering into any competition.

Mr. *Marryat* adverted to the pledge of economy given from the throne at the opening of the session, and subsequently echoed from every department of the administration. He trusted that it would not prove mere empty sound, and thought that the present was a favourable opportunity for redeeming that pledge, and for showing a disposition to inquire into every possible mode of saving the public money. He said it was singular that the chancellor of the exchequer had so strenuously reprobated all coercion upon this subject, when he must be aware that not one step had been gained, since the first agitation of this question, but by compulsion with the bank of England. He contended upon principle, in opposition to the noble lord, that the public ought to participate in the profits arising from the restriction upon cash payments, as the only mode of compelling the bank to resume payments in specie, by lessening the advantages they derived from withholding it. He had apprehended that the directors would have been the first to move for a committee of inquiry, to show that their conduct was unimpeachable; they might then have come out of the investigation like their own gold, more pure from the furnace to which it had been exposed. It was the duty of the House, by adopting the motion, to show that it lost no opportunity of affording relief from the burthens of taxation.

Mr. *Manning* said a few words strongly against the motion. He stated that, including all the responsibility and expenses, the bank only charged the public, for the expense of managing the funds eightpence in the 100*l.*

Mr. *Grenfell*, in reply, contended that the public balances of late in the hands of the bank, were at least double what they were in the year 1808, or at any former period, thus contradicting the assertion of the noble secretary of state.

The House then divided:

For the motion 44
Against it 81
Majority —37

CALL OF THE HOUSE.] When the gallery was opened, the House was engaged in a conversation upon the motion of Mr. Brougham, for a call of the House upon this day fortnight.

The *Chancellor of the Exchequer* acquiesced in the proposition for a call of the House, but rather preferred Friday week.

Mr. *Ponsonby* deemed it essentially necessary, upon the present extraordinary state of public affairs, to have a call of the House, especially with a view to the due consideration of the proposed military establishment, and the renewal of the property tax. But that call would be quite a mockery, if time were not afforded for the attendance of members from Ireland for instance, whence, through the uncertainty of winds, he himself found it impossible to make his way to this country so soon as his wish and his duty prompted. It was, besides, material to postpone the discussion of the subjects to which he had referred until the call was enforced, for it would be perfectly absurd to enforce that call after those subjects should have been decided.

Lord *Castlereagh* proposed to fix the call for Monday se'nnight, which would afford time enough to collect a full attendance from every quarter, excepting perhaps the extremities of the United Kingdom, and that exception might, he said, not inconsistently be admitted.

Mr. *Tierney* hoped that the call would be enforced to the utmost practicable extent, as a full attendance was peculiarly desirable upon the discussion of the army estimates, and the renewal of the property tax.

Lord *Castlereagh* assured the House that he was quite as anxious for a full attendance as the right hon. gentleman could possibly be.

The call was fixed for Monday se'nnight.

HOUSE OF LORDS.

Wednesday, February 14.

French Contributions—Droits of the Crown.] The Marquis of *Lansdowne* before his noble friend's motion came on, seeing the noble earl at the head of the treasury, in his place, wished to ask him respecting a subject to which he alluded yesterday, and which involved questions of the highest constitutional importance. He referred to rumours that had gone forth respecting a statement made out of that House, that the sums to be paid by France, and which were secured by the treaty with that power, belonged to the Crown, and were not at the disposal of parliament, except through the special grace and favour of the Crown, by which they had been regranted for the public service. Forty-eight hours ago he could not have believed but that the sums alluded to were at the complete disposal of parliament; but when a statement had thus been made, and that, too, upon high authority, by which it appeared, that under a treaty concluded by the ministers of the Crown with a foreign power, in which treaty sums of money were stipulated to be paid to this country, in lieu of territorial cessions, those sums amounting to no less than 100 millions of francs, were not at the disposal of parliament, but belonged, of right, exclusively to the Crown, and could only be available to the public service by a regrant from the Crown, through its special grace and favour, he felt it his duty to call the attention of the House to this subject, involving, as it did, considerations of the highest constitutional importance, and forming a precedent of the most dangerous tendency. He wished, therefore, to ask the noble earl upon what legal opinions, if any, the idea that these sums belonged of right to the Crown, had been founded; and, if there were any such opinions, it was his intention to move for them, which motion, he trusted, would not be objected to. Upon another topic connected with this subject, he also wished for information; he alluded to the sum of 50 millions of francs which the French government had stipulated to pay for the maintenance of our army in France. He wished to know whether this sum was to be placed to the account of the army, and thus come under the established constitutional control of parliament, or whether it was to be issued directly to our troops in France, without the intervention of parliament; in which case a precedent of the most dangerous nature would be established, in withdrawing the military force from the constitutional control of parliament, a control essential to the maintenance and support of those principles upon which alone the constitution could long subsist.

The Earl of *Liverpool* said, that he had one difficulty in answering the noble marquis's questions, arising from this circumstance, that when questions and explanations were asked with reference to any thing which could not be brought regularly before their lordships, it was hardly possible to understand the exact nature of the grounds upon which the explanation depended; and this was more particularly the case with respect to those matters, the exact import and full bearing of which could not be known, unless their lordships knew the precise words which had been used. With regard to the subject itself, he could answer to the fact, that no treaties or engagements had been concluded, with reference to the matters to which the noble marquis had adverted, except such as were already before the House. He did, however, feel that ministers were accountable to parliament for the application of the money to the public service. The noble marquis asked, whether the money to be paid by France to this country was to be considered as the money of the Crown or of the country? There were two sums—the one, a general sum of 700 millions of francs; the other, a sum to be paid for the use of the army to be kept in France; and he would answer thus far, that, for the application of both to the public service, ministers were accountable to parliament. With respect to the latter sum, it certainly would be more convenient that it should be immediately impress for the payment of the army, and it was intended that it should be so. But still he conceived that parliament was entitled to a due account of its application. This was his feeling on the subject; but he did not consider himself called upon to give any answer to the abstract question.

Lord *Grenville* said, he did not ask the noble earl to give any opinion on the abstract question; this was, however, not merely an abstract question, but a point of constitutional principle, of the highest importance, which must be decided upon at every step which ministers might take with reference to this matter. It was impossible for them to take the least step in practice, in the application of this money, without deciding the question, whether or not this money was the property of the sovereign individually, or the money of the country, to be under the control and at the disposal of parliament. It was a very different question, indeed, whether the ministers were to be considered as accountable to parliament for the due application of this money, and whether the money itself was to be at the disposal and under the control of parliament. Accountable to parliament! Why so, they were for the proper exercise of the clearest and most undoubted rights and prerogatives of the Crown. But the question here was, what were the rights of the Crown, and what were the rights of parliament? He did not wish the noble earl to discuss that matter at present, or to enter into a detail of what had been done, or what opinions had been held on the subject; but he trusted that whatever inaccuracies or errors might have been fallen into in past arrangements, proper care would be taken in future, that nothing should be done which trenched on the rights of parliament, and that money should not be paid to the sovereign individually, to be at his own private disposal, where it ought to be given, merely as the head of the government of the country, to be applied, under the control of parliament, to the public service. It was one of the most important principles of the British constitution, that the money for the payment of the army should be issued from the exchequer under the control of parliament; and unless this principle was preserved entire, one of the two great principles upon which the authority of parliament rested—the power of the purse—was gone. He did not wish to press the matter at present; but their lordships would be pleased to remember that it was a question of no light moment, for every step taken in the business was in practice a decision upon a point of the very highest constitutional magnitude and importance.

PEACE ESTABLISHMENT.] The order of the day for summoning their lordships being read,

Lord *Grenville* rose. He said, that when he gave notice of the motion which he was now about to submit to their lordships, and took the liberty of proposing that their lordships should be summoned, he did not anticipate any opposition to the production of the paper which he intended to call for; and since he had come down to the House, he had still further reason to believe that the motion was not to be opposed. It certainly rested on very strong grounds. If he had understood that there was any doubt as to the propriety of laying before their lordships this estimate, he should have stated two periods of our history at which motions similar to the present were made, and precisely on the very grounds upon which he now moved. The first was in the year 1742, when this country had entered into pecuniary engagements for the support of some points of continental policy. After the result of one campaign, a proposal was made for some additional measures for the furtherance of the same object, and for making good engagements which the Crown had, with the same view, already entered into. The lords at that period, in order to enable them the better to judge of the necessity or expediency of further engagements of that nature, thought it right that they should be informed of what would be the probable amount of the whole military expenditure for the purposes then under consideration, and an order was accordingly made that the estimates should be laid before them. The other instance was still more exactly in point. In 1756, the lords called for the estimates of the year, in order to ascertain in what manner the blessings of peace could be best secured to the country. To enable their lordships now to do their duty, and to see how the benefits and blessings of peace could be best secured and preserved to the country, they ought to have the military estimates of the year before them. And their lordships would observe, that at the period which he had last mentioned, the estimate was produced to the House on the very same day that the treaty of peace was laid on their table; so that it then appeared impossible to separate the consideration of the propriety and policy of the peace itself from that of the military expenditure which might be necessary in time of peace. On these precedents he called for the production of this document. He called for it, first, because the country was at present called upon to execute extensive pecuniary engagements: and next, because, whether the treaty should be ratified, and the conduct of those who concluded it approved, or whether it should be ratified out of regard to the national faith—whether the conduct of those who concluded it should be approved or not—in every view, it was of the highest importance that their lordships should see what was the military expenditure which must accompany the peace. It was highly necessary, when their lordships came to congratulate his royal highness the Prince Regent on the restoration of peace, and the establishment of a lawful government in France (and none could more sincerely congratulate his Royal Highness on these events than he should) —it was highly necessary for their lordships to consider whether they could congratulate his royal highness also upon this, that the peace was likely to be permanent; or whether, from the information which they might thus acquire, there was any reasonable ground of alarm on that topic. And, lastly, he called for it, because it was, above all, of the greatest importance, that their lordships should take their share in those duties to the public recommended from the speech to the throne, by watching carefully over the public expenditure. It was important that their lordships should do so, because, in so doing, they only fulfilled the just expectations of the country; and he was sure their lordships themselves would not be satisfied that they had done their duty, if they were negligent in a matter of such vast consequence to the country. The question which their lordships had now to consider was, whether, after a struggle of twenty-five years, maintained by such immense efforts, and at such vast expense, they were at length to obtain the blessings of that real peace for which they had so long contended, or whether their situation was to be exactly the reverse? Whether they were still to be charged with an immense military establishment; whether they were now to be called upon to take their rank among the military states of the continent; whether they were to abandon the wise maxims and policy of their forefathers, by which the country had risen to such a height, and had been enabled to make such great exertions, and, at an humble distance, turn servile imitators of those systems which had been the cause of so much distress and calamity to the nations by which they had been adopted and maintained? That was what their lordships had to consider: whether the people of this country, after all that they had done, after all the loyalty and firmness which they had evinced, after all they had suffered, and were still suffering, were to have, not the name of peace, but the establishments of peace—the expenditure and taxation of peace? And it was with that view that he now endeavoured to bring this document before them. For his own part, he pledged himself to their lordships and to the country, that never, either in that house or elsewhere, would he fail to give the most strenuous opposition in the power of so humble an individual as himself, to any attempts to entail such a monstrous burthen on the nation, and to lay the foundation of such ruin to the constitution as must follow from the maintenance, in time of peace, of an immense military establishment. He could not help, last year, expressing his dread that some such proposition was likely to be brought forward. His apprehensions were then considered as visionary; but he fairly confessed, that the utmost stretch of his imagination never came nearly to the amount of expenditure which was spoken of out of doors as likely to be proposed. He never did for a moment conceive, and he could hardly yet believe, that it was intended to keep up in time of peace, and in this year of peace, an army of 150,000 men. And if any thing could add to the astonishment and horror which he felt when he heard of such an intention, it was this, that an army of 50,000 men was to be kept up in the united kingdom. When that should be proposed, he trusted that time and opportunity would be given to discuss the proposition. He trusted that it was not in the course of one night, or one debate, that their lordships were to be persuaded so far to abandon the maxims and policy of their ancestors, as to cast away the hope of the blessings of peace and freedom. For his own part, feeling as he did every year still less and less desire to share in the debates and labours of that House, yet, if such a measure as this were really to be brought forward, there was no exertion of which he was capable, that should be spared to prevent so great a misfortune. And should such a measure be at last adopted, if any reflection could then sooth the declining years of his life, it would be this—that no poor effort which could be made by so humble an individual as himself had been wanting to avert from his country such a calamity.—He should now proceed to move—but he had forgotten another point upon which he intended to have troubled their lordships. He need make no apology for being warm. This was a subject upon which some degree of warmth might be permitted.—But it was his wish on this occasion to have called their lordships attention to the state of our establishment in a former period of peace—he meant the period between 1783 and 1793. The establishment of that period was now to be not only doubled or trebled, but quadrupled, quintupled, sextupled, though the amount of that establishment was founded upon circumstances not now existing, and was larger than a proper policy would at present justify. Instead of joining those who argued that our present military establishment ought to be superior to that which was then maintained, he should come to the House prepared to show that parliament would not do its duty, unless it insisted upon an establishment below that which then existed. He well remembered that at that period there was considerable doubt whether the establishment was not larger than the circumstances called for. The subject was much discussed, and the propriety of so large an establishment was rested on the peculiar circumstances of Europe at that period. In 1791 the whole matter was laid before parliament, and instead of 14 millions, of which they now heard, the question then was, whether the military expenditure should be 1,600,000*l.* or 1,800,000*l.*? And when at length it was fixed at 1,800,000*l.* the very next year the minister came down to the house, and proposed—he thought it worth his while to propose—a reduction of 50,000*l.*—no bad proof that it was not then thought that the military expenditure had been fixed at too low a rate. Their lordships now heard of eight millions for the navy. The expenditure then proposed for the navy was two millions, or 1,800,000*l.*; and when it was fixed at 2,000,000*l.* a reduction was afterwards made in it to the extent of 100,000*l.* He had heard it was said, that the great man who was then minister had changed his opinion, and had observed, that in acting to the best of his judgment, in requiring only 1,800,000*l.* for the army, and 1,800,000*l.* or two millions for the navy, he thought, on reflection, that he had ill-discharged his duty. It was his fortune to have lived on the most intimate terms of communication and friendship with that great man. It was difficult for him, at such a distance of time, positively to assert a negative. But he did most positively declare—and he trusted their lordships would do him the justice to believe that he spoke as if he were on oath at their bar—that he had not the smallest recollection, that he had no belief, that Mr. Pitt ever expressed himself otherwise on that subject than in terms of self-congratulation and conscious satisfaction that he had, by the most scrupulous economy, at that time enabled the country to meet that dreadful period of trial which it had afterwards to encounter. In 1792, Mr. Pitt in another place, and himself in their lordships House, referred to the circumstance as a proof that those who had proposed such a reduction then did not willingly plunge into war in 1793. Mr. Pitt might have said, that if he had known in 1792 what was to have happened in 1793, he would not have wished the establishment to be so low in 1792. And he said now, that if he could have then foreseen the extent to which the madness of the French revolutionists would have gone, and the extent of the folly, not to say treachery, of those who then directed the counsels of the king of France, he would have proposed a higher military establishment in 1792. But, as to the period between 1783 and 1792, he would say for himself, and undertake likewise to say for Mr. Pitt, that if they had been fully aware of what was to follow, they would not have proposed a higher establishment, for they were convinced that nothing but the lowness of the expenditure at that time could enable the country to meet the expenses and sacrifices which it was afterwards called upon to endure. And if, for the benefit of this country and of mankind, we could now be blessed with the presence of that great man, he was fully persuaded that such would be the sentiment which he would express. If, then, any thing were wanting, in addition to the sense of duty and a due regard to the public welfare, the weight of the authority of that great man must be taken into account. He was convinced, that if Mr. Pitt were now alive, he would, on the ground which had been stated, have anxiously enforced the propriety of a low military expenditure at this period of peace: and it was only by following the plan of that great man, and bringing the expenditure for the army and the navy to the very lowest practicable point, that any hope remained of extricating the country from those difficulties in which it was involved, and relieving it from those burthens which pressed so heavily upon it. He repeated, that against the monstrous attack upon the constitution implied in this enormous military establishment in a time of peace no efforts of his should be spared, and he trusted their lordships would exert their constitutional powers to prevent the country from being subjected to this grievous and ruinous burthen. The noble baron concluded by moving, "That an humble address be presented to the Prince Regent, praying that his royal highness would be graciously pleased to give directions to the proper officer to lay before the House the estimates for the military service for the present year."

The Earl of *Liverpool* said, that he did not rise to offer a single word in opposition to the motion of the noble lord; on the contrary, he should be ready and anxious to supply all the information required. When the discussion should regularly come before the house, he should be prepared to meet all inquiry, point by point, in justification of the measures adopted by himself and his colleagues in office. He was willing that the question should be put upon this issue, whether a public necessity, or at least a public urgency, had not existed for every measure adopted in the formation of the peace establishment of Great Britain; and if the affirmative were not satisfactorily made out, for his own part he should submit to any censure, however severe, that parliament might think fit to pass upon his conduct. Such being his view of the subject, it might be supposed that all his duty now required was, to give his assent to the motion, reserving until a future day a more detailed explanation. But even if the noble lord had not thought fit to make the address he had just submitted, such extraordinary and unreasonable fears had been excited upon this subject, that he should not rest satisfied in the complete discharge of his duty, if he did not take this opportunity of entering more at large into several of the points, for the sake of removing some of these ill-grounded and idle misapprehensions. If such a line of conduct would have been necessary, even had the motion been simply put from the woolsack, it was imperiously demanded, after what their lordships had that night heard, no doubt with astonishment, not, indeed, at the maxims uttered and principles laid down by the noble lord; not at the anxiety he expressed, and in which all men joined, that not a single guinea should be expended that was not called for by an overpowering necessity; but at the extraordinary view he had taken of the necessities of the country in the circumstances in which it was now placed. The earl of Liverpool said, he knew of no fairer mode of considering the subject under discussion than that which had been elsewhere adopted, namely, to consider coolly and deliberately, first, the real state of the nation with respect to her own dominions and those of foreign powers, and then inquire what establishment was necessary to preserve the integrity of her possessions, and to maintain the rank in peace that she had acquired in war. The noble lord had said much upon the subject of the peace establishment of 1792, and of its comparative economy; but surely he could not be ignorant that the present half-pay of the army, and the many additional allowances granted (as he had originally contended, extravagantly and improperly) by parliament, would actually amount to more than the whole extent of the military establishment before the year 1792. Was the House to dismiss from its consideration these important circumstances? Was it to forget the enormous increase of our expenses, and to follow the noble lord in his statements of hundred of thousands, or of millions, without adverting to the manner in which they had been unavoidably expended? By such a proceeding, deception would be doubled, and the House, instead of rectifying error, would become itself the instrument of delusion.—He wished to say a few words upon the general nature of the peace establishment of 1792; and upon the opinion of a great statesman, to which the noble lord had adverted. From a date previous to 1792, he could say that he had lived upon terms of the closest intimacy with Mr. Pitt, and if the question had been put, whether it was not the opinion of that minister that he had in 1792 reduced the peace establishment lower than was consistent with the public safety, he (lord Liverpool) should have had no hesitation in answering in the affirmative; and he would add, that if, after the opening of the new war, which had lasted for five and twenty years, there was no prospect of bringing it to an honourable conclusion at the end of two years, the protraction beyond that term might probably be ascribed to the low state of the establishment, as settled by Mr. Pitt at the period referred to. In making any comparison, therefore, he must set out with the conviction, that the peace establishment of 1792 was not such as was best calculated to secure the permanent interests of the country. As, however, for the purpose of illustration it was necessary to make a contrast between the present and some former period, he had no objection to take that to which the noble lord had more especially referred. The first point to be considered was, the army to be kept up in France and in the East Indies. By the treaty, the House was aware that the force in France was to be 30,000 men, and in acts of parliament it had been several times recognised, that the troops in the East Indies were not to be reduced below 20,000 men, making the whole army for the service of Great Britain and her colonies, 95,000 men. In 1792 the amount of force for the same duties was yesterday said to be 40,000 men, but the fact was, that it exceeded that number by 6,000, being 34,000 for Great Britain and the colonies, exclusive of the East Indies, and 12,000 for Ireland. In order, however, to give the comparison with greater distinctness, he would divide it into three heads, and consider, 1st. the establishment for the colonies; 2dly, that for Ireland; and 3dly, the establishment for Great Britain. With respect to the first, the House could not fail to reflect upon the difference between the extent of the colonies in 1792 and at present, and of course these acquisitions would demand an additional force for their protection. This force constituted a separate amount of 20,000, or, to speak with precision, of 19,400 men, whose duty was to occupy garrisons and stations in colonies that did not belong to the crown of England in 1792. If the noble lord should ask, did these colonies, during a long peace, require that that amount of force should be constantly kept upon them? he had no difficulty in stating, that in time it no doubt would admit of diminution; but regarding them in their present state, and with reference to the existing situation of things in Europe, after the fullest consideration, it had been thought that 19,400 men was the lowest estimate of the troops now required by our newly acquired colonies. As to the old colonies, those which had long continued in our hands, he was ready, point by point, to state the force now devoted to each, to notice the difference between that amount and the numbers in 1792, and to justify the augmentation by reasons which he considered satisfactory. First, as to the colonies of British North America, including Upper and Lower Canada, Nova Scotia, New Brunswick, Newfoundland, and the Bermudas; it was proposed that the force for these situations should be augmented from 6,600, which was the amount in 1792, to 10,000; and with regard to Canada, that the population since the former date had been nearly double; indeed, the whole district of Upper Canada might be said to be almost a creation within the last twenty years. The same argument would apply to New Brunswick, and other situations; and his lordship confidently put it to the House, whether the addition of 3,400 men was more than the altered circumstances of those colonies required. The Leeward Islands and Jamaica claimed the next consideration, where a force of 5,600 men was to be disposed, being an increase of 2,100 men upon the numbers in 1792. The portion that would be stationed in Jamaica was 4,000 men, being 1,000 more than at the former period. Their lordships were aware, that during the war, the black corps had been of very great service, and had enabled ministers to dispose a considerable number of the regular troops previously posted in Jamaica, in situations where their services could be more actively beneficial; it would likewise be recollected, that it would be a work of time and difficulty to reduce these black corps, and he apprehended that no man would wish that these valuable possessions should be left merely to the care of the negro regiment. It was intended to reduce them gradually; but until that was accomplished, a larger regular force than was employed there in 1792 would be necessary. An additional reason for this augmentation was the fact that Guadaloupe and Martinique were now in the hands of the British forces, and would remain so until garrisons could be sent out from France, and the period of their departure it was at present impossible to fix with any precision. For the present year it seemed unavoidable, therefore, that this country should sustain the increased charge arising from the employment of this larger force. The next item had not been noticed in any preceding estimates, although no doubt some small force must have been stationed upon the coast of Africa; it was now proposed to engage 1000 men upon that duty. In New South Wales the number of troops employed in 1792 was 325, to which 475 men were now to be added. Under the peculiar circumstances in which the island of St. Helena was placed, which he would not now discuss, the House would not be surprised to learn, that an effective garrison of 1200 men was intended to be quartered there. Besides the enumerations he had given, their lordships would be aware that 3000 men were supposed to be constantly afloat for the purpose of interchanging with garrisons in various parts of our possessions. The result of the whole of the statement into which he had entered was, that with the exception of 3400 men for North America, which he admitted was a positive addition, the garrisons of 1792 had not been augmented in the old colonies, excepting under pressing and evident necessity. The propriety of the increase of the garrisons of North America would depend upon questions of general policy, upon which ministers had exercised their best discretion. The next division related to the force which, under the peace establishment, was to be employed in Ireland. The increase, compared with 1792, was 13,000 men, and all his lordship could say upon it was, that the question must stand upon its own merits; but he confidently believed that no person acquainted with the present state of that country would dissent from the opinion, that 25,000 men for the service of the sister kingdom was not a larger force than circumstances demanded. Those circumstances might be changed, and no man more ardently wished that they might be; but the question was, whether a less force than 25,000 could now properly discharge the duties of the garrisons, &c. in Ireland? He would admit, for the sake of argument, that instant remedies could be applied to heal the wounds in Ireland; that a specific had been found, to accomplish all that the most sanguine had for years hoped in vain; still it could not be denied that the force stated was at present necessary, and that for years it might be required, until the supposed medicine began to produce the desired effect. The third and last topic was the military establishment for Great Britain, and the amount of 25,000 men was larger by 9000 men than the number deemed requisite in 1792. But if the amount of force was different, were not the circumstances of the country different also? And with reference to those circumstances, this was the only fair mode of viewing the question. First, he would ask, had not the population of Great Britain increased since the period named, to the amount of two millions? and would it be contended that this was not one fit cause of augmentation? All the civil establishments within the last twenty-five years had also been greatly multiplied and extended, and some of the naval departments, the dock-yards, for instance, instead of constables or watchmen to protect the public property, now employed soldiers. Even some of the regulations adopted for the army itself since 1792 had created a necessity for an augmented force, and among them, that which could not fail to meet the approbation of parliament—the abolition of the system of drafting from one regiment into another, which, in some instances, was formerly an instrument of cruelty. Prior to the destruction of this practice, vacancies in regiments in the East or West Indies were supplied by taking a number of men out of other regiments not immediately employed; but now it must be obvious, that the whole regiment must be changed at once, or the station of no part of it could be altered. This, of course, would require an addition of force not requisite in 1792. He could never have advanced so extravagant a proposition as had been attributed to him—that the amount of force at home must be increased in proportion to the number of men employed in garrisons abroad; but though not a proportionate, yet some ratio ought to be fixed, unless it was to be said, that when once a regiment was stationed in the West Indies, or in any distant colony, it was never to be changed, or to be allowed to revisit its native country. It would not be argued, therefore, that a reasonable relief ought not to be given, and that that relief would require a greater or smaller number of men, in proportion as our foreign garrisons were many or few, large or small. Under all the circumstances that had occurred since 1792, his lordship did not think that the addition of 9000 men was beyond what the necessities of the state demanded, and upon that issue he was ready to meet any noble lord who thought fit to maintain an opposite opinion. The chief ground of complaint, however, against the proposed peace establishment, was a jealousy lest the principles of the constitution should be infringed. Could any man say, that with a force of 25,000 men in this country, such fears were reasonable? And the House would besides recollect, that they were not 25,000 effective men; but, in fact, that the general waste of the whole army must always fall upon the force retained at home. But even if the whole 25,000 men were effective, and fit for service, such constitutional jealousy as had been evinced by the noble lord, would be misplaced, and, considering the fact, was completely groundless. It was not necessary to use any arguments to prove that such apprehensions ought not to be excited, since the facts spoke for themselves, and were the best refutation of what had been advanced. Having thus gone through the various items of the estimates for which the motion had been made, the noble earl again asserted, that the peace establishment of 1792 had been reduced too low for the security of the interests of the country, and he reminded the House that that establishment was fixed after the nation had been ten years at peace, while the present arrangement was to be made in the first year after a war that had continued for five and twenty years. With respect to the 30,000 men to be quartered in France, he had nothing to say upon the present occasion, because they had, in fact, no reference to the peace establishment: doubtless, upon any resumption of hostilities, it would be right to take them into the calculation; but at present they might be withdrawn or reduced, as circumstances might render necessary. Upon the whole, his lordship submitted, that the troops included in the estimates for the peace establishment were only equal to the guards and garrisons which, under the circumstances, it was necessary to maintain; and upon this ground he was now, and should be hereafter, prepared to contest with any noble lord, who, entertaining a different sentiment, should think fit, to endeavour to maintain it.

The Marquis of *Lansdowne* said, that having been one of those who entreated the people of this country to bear their great and grievous burthens, on the principle that they would be relieved from those burthens by peace, he could not now hear, without the deepest regret, that in this just hope they would be deceived, even after every object had been accomplished to the attainment of which they could look, and that it was now in contemplation to render our permanent establishments equally incompatible with the pecuniary means of the country, and with constitutional principles. Even after the statement which had been made by the noble earl, he would assert, that great and unnecessary burthens were meant to be imposed, and would shortly advert to the grounds on which such expensive establishments were recommended. The noble earl had naturally enough divided the consideration of the subject into three parts; the military force required for the colonies, for Ireland, and for the home service. As to the first of these, he had told the House that a large increase of force was necessary to be kept up in Canada; and the reason he assigned was not a little extraordinary, namely, that the population of that colony was doubled since 1792, leaving it to be presumed that that population was a hostile one, not the bred-up subjects and supporters of the British government, but its betrayers and opposers. Was it in this view that a large increase upon the establishment of 1792 was required for Canada? If increase of population was to be deemed a reason for an increase of military force, then it might equally apply to the Ionian islands, to Ceylon, and other recent acquisitions. After a few years, the noble earl might come down to the

House, and say that all these possessions had thriven so much in population under our fostering care, that he must propose 40 or 50,000 more men for our colonial establishments, in which case it might be said, that the country would actually die of its own prosperity. Had we not been told also, that the very reason why many of our colonial acquisitions had been retained was, that they afforded defence and protection to the rest; that the Cape of Good Hope, for instance, and the Mauritius, afforded a valuable security to our eastern possessions? If it was not meant by this that they gave us the power of maintaining our old possessions at less expense than before, then it was needless to have them at all, and they were a dead weight on the finances of this country. The noble earl had also stated, that a considerable portion of our West India force consisted of negro corps, which could not be immediately reduced. Now, as these black regiments were chiefly in our old colonies, what was there in the climate or constitution of the men to hinder them from being transferred to our new colonies, and thus rendering unnecessary a part of the 19,000 men destined for our colonial establishments?—He next came to the military establishment for Ireland; and here he would not say that the situation of that part of the empire did not require such a force as 25,000 men; but, at the same time, parliament should have before them the facts which proved its necessity. He now came to England; and here again the noble earl resorted to his favourite position, that an increase of population required an increase of military establishment—as if here there was reason to dread disaffection and hostility. But, in defending the proposed military establishment for this island, the noble earl had left out of view this most material fact, that we were to have 30,000 men in France on the one side of us, and 25,000 in Ireland on the other, from either of which government had the power of drawing supplies at any time it thought proper. What sudden emergency was then to be dreaded, that could make any standing army necessary at all, except what was absolutely required for our few garrisons, and the protection of our dockyards? But the noble earl had even forgotten, that last year the proposed peace establishment was to be only nineteen millions. Why was it now to receive an increase of from three to four millions? What were the circumstances that should now render it more extensive? Was Buonaparté in less security at St. Helena than he was at Elba, where, by-the-bye, we were told last year that he had been most wisely placed? Was there any thing in the state of the French military or naval power to afford ground of uneasiness? The military force voted for England, after the peace of Amiens, was indeed 43,000 men; but at that time Buonaparté had the complete control of Spain and Portugal, and was master of Italy, though even then that vote was proposed for only six months, and was expressly stated as not meant to be the permanent military establishment of the country. Yet it was now proposed to vote a larger permanent establishment, upon the whole, than even at that period of danger. Was it fair, that, when the people of this country had, by the lavish expenditure of their blood and treasure, destroyed the French navy, and succeeded in compelling the reduction of the French army, they should be subjected to the same burthens as if the power of so systematic an enemy remained entire? He could not but give credit to the noble earl for the wise measures he had adopted for raising the financial credit of the country: but it was equally important that he should remove from the springs of internal action that immense pressure which he was preparing to impose upon it. The attention of the people was alive to this subject; and he hoped that, by the information which his noble friend's motion would procure, parliament would be enabled to fix a due proportion between the means and the establishments of the country.

Lord *King* considered the present attempt of his majesty's ministers as an experiment to try how far the country would endure an expense of this nature,—an experiment, if he might say so, how far the servility of parliament would be carried in submitting to an establishment of such a magnitude. He believed it to be neither more nor less than an attempt to place this country on a level with the great military powers of the continent. The noble earl opposite had been asked, if this was a fit reward to the country after all the exertions which it had made? To this no answer, however, had been returned by him. He had been asked in like manner what would have been the establishment he would have thought of proposing if Buonaparté had remained on the throne of France? To this also no answer had been returned. In alluding to the establishment of 1792, it had been said by the noble earl that regret was expressed by Mr. Pitt after his having then reduced it to such a low scale; and the noble earl had thought proper to add, as his own opinion, that if our establishments had not been so reduced we should have been enabled to have put an end to the war in a short time. What, did the noble earl still regret that he was disappointed in his march to Paris? Did he really think that any military force which could possibly have been kept up in this country would have enabled us to carry on a war on the Continent at that time with any effect, or to baffle the exertions which France made with such effect in the beginning of the revolutionary war? The noble earl had said, that as the pay and allowances of our forces were increased, the expense of our establishments must also necessarily be augmented. But was this a fair way of stating the case? Was it not contended on this side of the House, and would it not be admitted by the noble earl, that the increased expense of our establishments arose not so much from an increase in the rate of that expense as from the number of men? The expense was four or five times greater than before, and we had three times the number of men. The whole drift of the argument drawn by the noble earl for an increase of our forces in the colonies, from the increase of the whole number of men in all the colonies was, that it furnished his majesty's ministers with an argument for the necessity of maintaining an equally large number of troops at home. Those persons who recommended the keeping up of a large military force in this country, showed themselves ignorant of the true nature and resources of this country. This country had made such efforts as had never been heard of; but in proportion as great efforts were made during war we ought in the same proportion to sink into a state of calm at the termination of that war, in order that we might be able to recommence the same efforts on the breaking out of a new war. Did not every body see that the powers of the Continent, who were always at the full stretch with their exertions, were not able to make such efforts as this country in cases of emergency? This was the peculiar advantage of our situation, and those who recommended that we should equal the continental powers in our establishments, would have us cast away that peculiar advantage, and prevent us from making in future those exertions which we had hitherto made to the astonishment of the world.

The Marquis of *Lansdowne* shortly explained, that the approbation he had expressed of part of the financial system of measures, did not extend to what was proposed with respect to the property tax

The question was then put, and the motion agreed to.

HOUSE OF COMMONS.

Wednesday, February 14.

ACCOUNT OF THE PEACE ESTABLISHMENTS FROM 1783 TO 1793.] Mr. Lushington presented the following Account, viz.

An ACCOUNT of the Peace Establishments of the Army, Navy, Ordnance, and Miscellaneous Services, for each of the Years from 1783 to 1793, both inclusive.

Years.	ARMY. Ordinary.	ARMY. Extraordinary.	ARMY. Total.	Navy.	Ordnance.	Miscellaneous.	Total.
1783	£.3,059,855	2,539,402	5,599,257	6,197,832	1,684,818	551,060	14,032,969
1784	1,797,081	1,919,289	3,716,370	3,086.269	677,749	340,816	7,821,206
1785	1,603,147	451,557	2,054,684	2,504,507	439,655	360,354	5,359,202
1786	1,405,067	573,087	1,978,154	2,381,526	393,677	711,806	5,465,166
1787	1,411,169	420,311	1,831,481	2,239,200	375,376	443,237	4,889,295
1788	1,601,847	437,004	2,038,852	2,364,607	484,507	551,847	5,439,814
1789	1,518,293	398,769	1,917,062	2,276,570	511,444	1,096,082	5,801,159
1790	1,517,616	356,458	1,874,074	2,381,636	509,447	1,793,130	6,558,290
1791	1,626,091	335,234	1,961,326	3,946,005	657,078	1,030,776	7,595,187
1792	1,474,493	340,306	1,814,800	1,943,882	463,601	1,319,767	5,542,050
1793	2,630,694	337,865	3,968,559	3,854,915	900,766	2,462,506	11,186,747

Whitehall Treasury Chambers,
14 February, 1816.

S. R. LUSHINGTON.

PAPERS RELATING TO MARSHAL NEY.] Lord Castlereagh presented to the House, by command of the Prince Regent, the following

PAPERS CONCERNING THE CASE OF MARSHAL NEY, IN SO FAR AS RESPECTS THE SECRETARY OF STATE'S OFFICE FOR FOREIGN AFFAIRS.

No. I.—EXTRACT *from the Procès Verbal of a Conference between the Plenipotentiaries of Great Britain, Austria, Russia, and Prussia, held at Paris the 16th of November* 1815 *: with two enclosures :*

His Excellency the Duke of Wellington having received from Marshal Ney a similar Letter to that which the Marshal had addressed to the Ministers of the four Cabinets accredited to the Court of France, the Duke communicated at the Conference the Answer he proposed to return, and their Excellencies coinciding entirely in opinion with his Grace in respect to this Note, it is agreed to insert in the Protocol, the letter from Marshal Ney, as well as Lord Wellington's Reply, &c. &c.

(First Enclosure in No. I.)—*Marshal Ney to the Duke of Wellington.*—(Translation.)

Paris, 15*th November* 1815.

May it please your Excellency;—In the last extremity, and at the moment when the critical circumstances to which I am reduced, leave me but very feeble means to avoid the notoriety and the terrible dangers of a prosecution for high treason, I take the resolution of addressing to you a justifiable application for redress on the following grounds:—My cause has been removed to the Chamber of Peers, pursuant to an ordnance issued by the King on the 11th of this month, and subsequently to a speech delivered in that Chamber by the President of his Majesty's Ministers. This formal denunciation, and the considerations on which it rests, are of a nature to excite in my mind just alarm. Among other motives for commencing a prosecution against me, I have read with astonishment in the speech, " that, *even in the name of Europe*, Ministers came to conjure the Chamber, and require it to try me." I beg leave to observe, that such a declaration is irreconcileable with the events witnessed during the late agitation of France. I am at a loss to conceive how the august Allies can be made parties to this impeachment, when their magnanimity has been generously exerted in preserving me from it, and when there exists a formal, sacred, and inviolable Convention on the subject

Please to call to mind that the High Contracting Powers by the Treaty of Paris, of May 30th 1814, have formed an alliance with his Majesty Louis XVIII. On being informed at Vienna, the 13th of March last, that the cause of legitimacy was threatened by the return of Buonaparté, they concluded the solemn compact of that day, 13th March, with his most Christian Majesty's Ministers to the Congress. In that compact the Allied Sovereigns declared, that they were prepared to afford to the King of France, and to the French nation, all necessary aid for restoring public tranquillity, and for making common cause against those who should be disposed to disturb it. In the arrangement, confirming that of the 25th of the same month of March, the High Powers solemnly engaged to unite all their forces, for maintaining in all their integrity *the conditions of the Treaty of Paris* against Buonaparté's designs; *they promised each other to act in common.* They regulated the respective contingent which they *proposed to march against the common enemy.* Finally, his most Christian Majesty was *invited to give his consent to the above measures*, in the event of his standing in need of the *auxiliary troops* promised him.

It clearly results from these different stipulations, that all the European armies, without distinction, have been the auxiliaries of the King of France, and that they have fought, in direct furtherance of his interests, for the subjugation of all his subjects. Victory declared speedily in favour of the English and Prussian arms, united in the plains of Waterloo, and brought them under the walls of Paris. In that post, there was left, to oppose their further progress, a French corps d'armée, which had it in their power to sell their lives dear. A negociation commenced, and on the 3d July a Convention was signed by both Parties, the twelfth Article of which is to the following effect: " Shall be likewise respected private persons, and private property. The inhabitants, and, in general, all the individuals in the Capital shall continue in the enjoyment of their rights, and of their liberty; nor shall it be lawful to disturb or call them to account, in consequence of any matter having reference to the employment which they either hold or have held, *or to their conduct and public opinions.*"

This Convention has since been ratified by each of the Allied Sovereigns, as being the work of the two first Powers delegated by the course of events. It had thus acquired all the force which the sacred law of nations, the law of nature and of nations could imprint on it. It is become the unalterable safeguard of all those Frenchmen, whom the calamity of disturbed times might perhaps have left exposed to the resentment, however well-founded, of their Prince. His Most Christian Majesty did himself positively accede thereto in entering his Capital; he has more than once appealed to the solemn authority of this political contract, as an act from which no portion whatever could be separated.

Can it then be doubtful, Sir, whether being of the persons that come within the meaning of the above stipulations, I am justified in claiming the benefit of the 12th Article, and of the religious performance of the guarantees there specified? I therefore presume expressly to demand of your ministerial office, and of the august Power in whose name you discharge it, that you will put a period to every criminal proceeding *against my conduct and my political opinions*, on account of the functions exercised by me in the month of March 1815. My isolated and forsaken condition is an additional reason to determine your Excellency to afford me relief, and, by your powerful mediation, to place me in the enjoyment of the right which I have acquired. Had I not implicitly confided in the promise of so many Sovereigns, I should by this time be in some unknown land, and should no more be thought of. It was that august and sacred promise which produced my security; is it possible, that it should be betrayed?—I cannot credit it; and I confidently expect from your upright sentiments, that you will grant me your speedy intervention.

(Signed.) *Ney.*

(Second Inclosure in No. I.)—*The Duke of Wellington to Marshal Ney.*

Paris, November 15*th*, 1815.

Monsieur le Maréchal;—I have had the honour of receiving the Note which you addressed to me on the 13th November, relating to the operation of the Capitulation of Paris, on your case. The Capitulation of Paris of the 3d July, was made between the Commanders in Chief of the Allied Prussian and British Armies on the one part, and the Prince d'Eckmuhl, Commander in Chief of the French Army on the other, and related exclusively to the military occupation of Paris.

The object of the 12th Article was, to prevent the adoption of any measure of severity under the military authority of those who made it, towards any persons in Paris, on account of the offices which they had filled, or their conduct, or their political opinions; but it was never intended, and could not be intended to prevent either the existing French Government, under whose authority the French Commander in Chief must have acted, or any French Government which should succeed to it, from acting in this respect, as it might deem fit.I have the honour to be, &c.

(Signed.) *Wellington.*

No. II.—DISPATCH *from Sir Charles Stuart to Viscount Castlereagh; dated Paris,* 16*th November* 1815:—*with five Inclosures.*

Paris, 16*th November*, 1815.

My Lord;—Madame Ney requested to see me on Monday last, for the purpose of delivering the Letter from the Marshal, of which I have the honour to inclose a Copy, and requesting my interference with the French Government, to render the twelfth Article of the Convention of Paris applicable to the case of that officer. Without entering into the question, I explained as clearly as the situation of this lady would permit, that it was quite impossible to return any answer to the Marshal's Letter, unless with the concurrence of my colleagues, the Ministers of the other Powers. The conversation which took place in an interview with the Duke of Wellington having induced Madame Ney to address me, the further remarks I have the honour to inclose, the pretensions of her husband to take advantage of the Capitulation, were considered in the conference yesterday morning.—It was determined that the Duke of Wellington, under whose authority that act was negociated, should state concisely to Marshal Ney, the reasons why the twelfth Article could not be considered applicable to his case; and that I should intimate to Madame Ney, in the name of the Four Powers, that no other answer would be transmitted to the communication we had received. His Grace accordingly wrote the answer to M. Ney, which I have the honour to enclose, and a verbal reference to the letter has led to a further communication from that officer's lady, which I likewise forward. I have the honour to be, &c.

(Signed.) *Charles Stuart.*

(First Enclosure in No. II.)—NOTE *from Marshal Ney to Sir Charles Stuart, dated Paris,* 13*th November* 1815, *similar to that from Marshal Ney to the Duke of Wellington.*—See First Inclosure in No. I.

(Second Enclosure in No. II.)—*Additional* NOTE *of Madame Ney.*—(Translation.)

Paris, 14*th November*, 1815.

The Duke of Wellington in a private audience granted yesterday to Madame Ney, gave as the grounds for his determination not personally to interfere in the process of the Marshal; "That his Majesty the King of France had not ratified the Convention of the 3d July." "That the stipulation written in the 12th Article expressed only the renunciation of the High Powers, on their own account, of all proceeding against any individual in France, for his conduct or political opinions." "That it was not their duty to interfere in any way with the acts of the King's Government." Madame la Maréchale Ney cannot believe that this first opinion, manifested upon the 12th Article of the Convention of the 3d July, can be definitively maintained in the conference of the Plenipotentiaries. In effect, in the attacks and invasion purely foreign of a conqueror, the enemy who penetrates into a country has no necessary concern with the troubles which may have broken out in it, and it does not fall within the character of capitulations that those of a certain party shall not be proceeded against. It is then, because in the present occurrence the war was special, and for the pacification of the interior, that they thought of stipulating it in terms of amnesty. The King, say they, has not ratified it, but the ratification has been sufficient, for the possession of Paris was its consequence. The condition of the besieged cannot be changed afterwards, unless things be re-established in *statu quo.*

His Highness has not sufficiently considered what ought to be essentially considered; that this 12th Article was the subject of a discussion between the English and Prussian Commissioners; and the Commissioners of the French Army; and that it was well understood, that this stipulation took place on account of the King, and not on account of the Allied Armies, who had no positive interest to act against such or such party.

That the Article is consented to in the name and common interest of all the Allied Powers, an interest indivisible, and which the two Treaties of the 13th and 25th of March designated, as being principally the interest of his Majesty the King of France.

That it will be no interference in the acts of the King's Government, to recall to his Majesty engagements made in his name, engagements which his Ministers forget, which individuals proceeded against claim, and of which it becomes the dignity of the High Powers that the effect should not be null.

Finally, in all events, since his Highness allows that at least the High Powers themselves are bound by a renunciation, what must they think of being brought forward as conjuring and requiring the trial of Marshal Ney? Ought it not to be their first duty, in such a conjuncture to disengage, without delay, the balance of criminal justice from this enormous weight?

(Third Enclosure in No. II.)—LETTER *from the Duke of Wellington to Marshal Ney, dated Paris, 15th November* 1815.—See Second Enclosure in No. I.

(Fourth Enclosure in No. II.)—NOTE *of Madame Ney to Sir Charles Stuart.*—(Translation.)

I have the honour to send to your Excellency, for the second time, a Reclamation, for that protection assured to my husband, Marshal Ney, by the Convention of Paris; and I trust (notwithstanding the answer which you returned to me yesterday through your Secretary) that your Excellency will lose no time in causing a stop to be put, by Articles XII, XIV, and XV, of the said Convention, to the proceedings already begun: But, if your Excellency should not already be sufficiently convinced of the validity of this Reclamation, I ask of you, in the name of your country, and of justice, to cause all process to be suspended until the receipt of the answers from H. R. H. the Prince Regent, and from Lord Liverpool, to whom I have already addressed the same Reclamation, which I have now made to your Excellency; but as these letters have been forwarded by private hands, and they might chance to miscarry, I give into your hands copies thereof, for the purpose of being forwarded by the messenger of your Government. I request your Excellency, &c.

(Signed) *La Maréchale Ney,*
Princess of the Moskowa.

(Fifth Enclosure in No. II.)—*Further Communication from Madame Ney to Sir C. Stuart.*—(Translation.)

It is neither practicable nor desirable to recapitulate the results and consequences of the Capitulation of Paris, signed by the Duke of Wellington and Marshal Blücher in the name of the Allies, which Capitulation was immediately made instrumental to the restoration of the King. The following observations bear upon the faith and validity of capitulations, taking into consideration the 12th, 14th and 15th Articles of the Capitulation of Paris. Capitulations and Conventions made by Commanders in Chief, are not temporary engagements, but are every where considered binding and permanent. A Government cannot arbitrarily set aside a Treaty thus entered into by their representatives, especially when an infraction of it would operate to the prejudice of the safety, of the property, of the liberty, and of the lives of the parties whose interests were guaranteed by the original contract. It is not even just to dispose of any possession acquired by a Capitulation, unless all the stipulations specified as the conditions of the acquisition, be previously fulfilled. A Government ceding any possession, cannot get rid of the guarantee of a Capitulation; and as the obligation does not cease, the oppressed retain the right of calling upon that Government, to protect them from subsequent violations of their personal safety. No persons, civil or military, guilty of any political offence, but protected by a Capitulation, can be given up for judgment to a new Government, or even to an ancient Government restored to its rights. Time has consecrated these principles among all civilized nations; it is particularly the practice of England; the History of Great Britain offers a series of cases in point.

The Capitulation at Naples is the only exception; there the engagements entered into by Captain Foote, were not respected by Lord Nelson; and the persons who had surrendered upon the faith of the British Government, were delivered up to that of Naples; but Lord Nelson urged that Captain Foote was not authorized to conclude a Capitulation. Nevertheless, this odious act has thrown a shade upon the character of Lord Nelson, and the sensation created by it in England was so great, that it required all the eminent services of Lord Nelson to screen him from Parliamentary impeachment.

In a recent instance, Generals Savary, Lallemand, and several others, were not given up to the French Government by that of England, because the Captain of the Bellerophon had pledged his word of honour to these individuals; yet there was in this case, no *written Convention;* the only engagement consisted in an understanding, that the personal safety of all those who should embark under his protection, should be guaranteed by the British Government. For these reasons, the King of France cannot urge that the Capitulation of Paris is not binding upon him; how can he attempt to violate this single Article (the most solemn of all) when, in respect to the others which are to the prejudice of France, he has been compelled to submit to their most rigorous execution. This Capitulation was made in the name of the Allies; and the King of France at the period of its signature, was only a Member of the Coalition: this is proved by the text of the Declarations and Proclamations issued by the Allied Powers, and particularly by that of the 22d of June, signed by the Duke of Wellington himself.

The friends of justice put forward these observations the more earnestly, because the whole population of Paris, the lives and property of so numerous a body, have no other protection than this Capitulation. It is essential to observe, that the City of Paris has never been given up to the King, that it is actually under the military dominion of the Allies, and that no person can absent himself from its neighbourhood without a Passport signed by the military Commandant of the Allies.

ARTICLES of the Capitulation applicable to this Question.

ART. XII. Persons and private property shall be equally respected; the inhabitants, and in general all the individuals who are in the Capital, shall continue to enjoy their rights and liberties, without being in any manner subject to any inquiry or punishment in consequence of any office they may at present hold or may have held, or in consequence of their political conduct or opinions.

ART. XIV. This present Convention shall be observed, and shall serve as a rule for all mutual relations, until the conclusion of Peace.

ART. XV. If any difficulty should arise in the execution of any of the Articles of this present Convention, they shall be interpreted in favour of the French Army and of the City.

No. III.—MEMORANDUM *of the Duke of Wellington, communicated by his Grace to the Ministers of the Allied Powers.*

It is extraordinary that Madame la Maréchale Ney should have thought proper to publish in print, parts of a conversation which she is supposed to have had with the Duke of Wellington, and that she has omitted to publish that which is a much better record of the Duke's opinion on the subject to which the conversation related, viz. The Duke's Letter to the Marshal Prince de la Moskowa, in answer to the Marshal's Note to his Grace. That Letter was as follows:

"I have had the honour of receiving the Note which you addressed me on the 13th November, relating to the operation of the Capitulation of Paris on your case. The Capitulation of Paris of the 3d July was made between the Commanders in Chief of the Allied British and Prussian Armies on the one part, and the Prince d'Eckmühl, Commander in Chief of the French Army on the other, and related exclusively to the Military Occupation of Paris. The object of the 12th Article was to prevent the adoption of any measures of severity under the military authority of those who made it, towards any persons in Paris, on account of the offices which they had filled, or their conduct, or their political opinions; but it was never intended, and could not be intended to prevent either the existing French Government, under whose authority the French Commander in Chief must have acted, or any French Government which should succeed to it, from acting in this respect as it might deem fit."

It is obvious from this Letter, that the Duke of Wellington, one of the parties to the Capitulation of Paris, considers that that instrument contains nothing which can prevent the King from bringing Marshal Ney to trial, in such manner as his Majesty may think proper. The contents of the Capitulation fully confirm the justice of the Duke's opinion. It is made between the Commanders in Chief of the contending Armies respectively, and the first nine Articles relate solely to the mode and time of the evacuation of Paris by the French Army, and of the occupation by the British and Prussian Armies. The tenth Article provides, that the existing Authorities shall be respected by the two Commanders in Chief of the Allies; the 11th, that public property shall be respected, and that the Allies will not interfere "en aucune manière dans leur administration, et dans leur gestion;" and the 12th Article states "seront pareillement respectées les personnes et les propriétés particulières, les habitans, et en général tous les individus qui se trouvent dans la Capitale, continueront à jouir de leurs droits et libertés, sans pouvoir être inquietés, ou recherchés en rien relativement aux fonctions qu'ils occupent, ou auroient occupées, à leur conduite et à leurs opinions politiques." By whom were these private properties and persons to be in like manner respected? By the Allied Generals and their troops, mentioned in the 10th and 11th Articles; and not by other parties to whom the Convention did not relate in any manner.

The 13th Article provides, that "les troupes etrangères" shall not obstruct the carriage of provisions by land or water to the Capital. Thus it appears that every Article in the Convention relates exclusively to the operations of the different Armies, or to the conduct of the Allies and that of their Generals, when they should enter Paris; and as the Duke of Wellington states in his Dispatch of the 4th of July, with which he transmitted the Convention to England, "decided all the military points then existing at Paris, and touched nothing political."

But it appears clearly that not only this was the Duke's opinion of the Convention at the time it was signed, but likewise the opinion of Carnot, of Marshal Ney, and of every other person who had an interest in considering the subject. Carnot says in the Exposé de la Conduite Politique de M. Carnot, p. 43, "Il fût résolu d'envoyer aux Généraux Anglois et Prussiens une commission speciale, chargée de leur proposer une Convention purement militaire, pour la remise de la Ville de Paris entre leurs mains, en écartant toute question politique, puisqu'on ne pouvoit préjuger quelles seroient les intentions des Alliées lorsqu'ils seroient réunis."

It appears that Marshal Ney fled from Paris in disguise, with a passport given to him by the Duc d'Otrante, under a feigned name, on the 6th July. He could not be supposed to be ignorant of the tenor of the 12th Article of the Convention, and he must then have known, whether it was the intention of the parties who made it, that it should protect him from the measures which the King, then at St. Denis, should think proper to adopt against him. But if Marshal Ney could be supposed ignorant of the intention of the 12th Article, the Duc d'Otrante could not, as he was at the head of the Provisional Government, under whose authority the Prince d'Eckmuhl must have acted when he signed the Convention. Would the Duc d'Otrante have given a passport under a feigned name to Marshal Ney, if he had understood the 12th Article as giving the Marshal any protection, excepting against measures of severity by the two Commanders in Chief?

Another proof of what was the opinion of the Duc d'Otrante, of the King's Minister, and of all the persons most interested in establishing the meaning now attempted to be given to the 12th Article of the Convention of the 3d of July is, the King's Proclamation of the 24th July, by which nineteen persons are ordered for trial, and thirty-eight persons are ordered to quit Paris, and to reside in particular parts of France, under the observation and superintendence of the Police, till the Chambers should decide upon their fate. Did the Duc d'Otrante, did any of the persons who are the objects of this Proclamation, did any person on their behalf, even then, or now, claim for them the protection of the 12th Article of the Convention?

Certainly the Convention was then understood, as it ought to be understood now, viz. That it was exclusively military, and was never intended to bind the then existing Government of France, or any Government which should succeed to it,

No. 4.—DISPATCH *from Earl Bathurst to Sir Charles Stuart; dated Foreign Office, 21st November,* 1815.

Sir; In the absence of Viscount Castlereagh, I have had the honour of laying your Excellency's Dispatch of the 16th instant, together with its Enclosures, before his Royal Highness the Prince Regent. His Royal Highness cannot but feel great sentiments of compassion for Madame Ney's unhappy situation; but he can return no other answer than by referring her to the communications which have already been made by your Excellency and the Duke of Wellington on the part of the Allied Powers to her, and to Marshal Ney. I am, &c.

(Signed.) *Bathurst.*

No. V.—DISPATCH *from Sir Charles Stuart to Viscount Castlereagh: dated Paris, 4th December* 1815: *with two Inclosures.*

My Lord; In obedience to the instructions contained in your Lordship's Dispatch of the 21st ult. I have stated to Madame Ney that the Letter she has been pleased to address to his Royal Highness the Prince Regent has been duly received; but, that notwithstanding the commiseration which his Royal Highness feels for the situation of that unfortunate lady, a reference to the Letter which the Duke of Wellington addressed the Marshal upon the same subject, is the only answer which the circumstances of the case will admit. The day after this answer had been returned to Madame Ney, I received the accompanying Letter through the intervention of a third person, and in the evening, the Memorial signed by Messrs. Berryer and Dupin, who are charged with the conduct of the Marshal's defence, which I have the honour to inclose, was transmitted to me. I propose merely to notice this communication in concert with the Ministers of the other Powers, by a reference to the answer already given. I have the honour to be, &c.

(Signed.) *Charles Stuart.*

(First Inclosure in No. V.)—*Communication from Madame Ney to Sir C. Stuart.*—(Translation.)

A Circumstance has been stated to me, Sir, which has given me much pain; and as you have formerly proved to me all the interest which you are pleased to take in my case, under the unfortunate circumstances in which I am placed, I hope that you will deign to afford me a new proof of that interest, in taking on yourself the explanation of this painful occurrence. The subject in question is as follows:—I am assured that Sir Charles Stuart believed I complained of the manner in which he received me at the audience which he granted me. As I know that you are acquainted with his Excellency, I intreat you to be good enough to tell him in my name, that, so far from having complained of the reception he gave me, I could not but be satisfied therewith, and that, even in the few words which he addressed to me, I believed I could perceive the interest with which my unfortunate situation inspired him. I seize, &c

(Signed.) *La Princesse de Moskowa.*
2 December 1815.

(Second Inclosure in No. V.)—*Memorial of Messrs. Berryer and Dupin, of Marshal Ney's Counsel, to Sir Charles Stuart.*—(Translation.)

Your Excellency is informed that Marshal Ney has appealed to the 12th Article of the Capitulation of Paris, to shelter himself from the accusation with which he is charged. You also know the answer of Lord Wellington to Madame la Maréchale Ney. That answer does not clear up the difficulty; there merely results from it, that Lord Wellington *himself* attaches to the 12th Article no other sense than that contained in his answer.

If the Plenipotentiaries who treated with Lord Wellington agreed to give to that Article the same sense, one might be induced to think that Marshal Ney has unseasonably appealed to the Article in question, and that still the right would remain to him of contending, that the letter of the Treaty could not be annulled by a simple declaration of intentions.

But, on the contrary, the French Plenipotentiaries maintain and declare, that the object of the 12th Article was, to prevent all re-action, especially on the part of the King of France.

The result of these two opposite declarations is a state of doubt, which must be cleared up, or, according to the 15th Article of the Convention of Paris, all *doubts* should be determined *in favour of the French Army and the City of Paris.*

If Lord Wellington should make a declaration upon a fact which was personal to himself, our respect for his character, the integrity of which is so well known, would not permit us to insist further; but the question is upon a Convention, on a Treaty which is the work of two contracting parties; it cannot then depend upon one alone, to determine the sense of it to the prejudice of the other; in such a case recourse must be had to the rules of interpretation established by law, or to particular clauses of the Treaty.

Besides, we have already said that the 15th Article determined all the doubts in favour of the French Army and the City of Paris; and we add (what, moreover, we have proved in a printed Memoir, of which your Excellency shall receive copies) that the 12th Article would have been without an object, if it had only contained, on the part of the High Powers, a renunciation, *on their account alone,* of a right of search after persons, which is not authorized by the Law of Nations; whilst, on the contrary, it is evident that those who stipulated for the French Army and the City of Paris, only negociated in contemplation of the return of his Majesty Louis the Eighteenth, in order to place themselves beyond the reach of the prosecutions announced in the Proclamations of Cambrai.

If your Excellency will deign to look back to the 3d July, and consider the evils which the Convention of that day prevented, it will no longer appear to you that the amnesty contained in the 12th Article could have hindered for a moment the conclusion of that Convention; it must then be understood and executed in the same spirit in which it was made—that is to say, with that wide and liberal spirit by which favourable clauses must ever be interpreted.

It will not escape your Excellency, that the Alliance has established among the High Powers a species of union and concert which obliges them not only to execute themselves, but to ensure the execution of a Convention common to them all. It is particularly upon this point that it is most important, in our view of the subject, that your Excellency should take an interest in the question.

Your Excellency will excuse us if we detain you at such length upon this subject; but the fate of the Marshal is so closely connected with the execution of the Convention of Paris, that our duty as Counsellors imposes upon us the paramount obligation of claiming its benefits, and demanding its fulfilments. We have the honour to be, &c.

The Council for Marshal Ney,
(Signed.) *Berryer*, Senior.
Dupin.

No. VI.—LETTER *from Madame Ney to the Earl of Liverpool; dated Paris, 13th November* 1815.—(Translation.)

My Lord; I have the honour of laying before your Excellency a copy of the Memorial [see First Inclosure in No. I.] which Marshal Ney, my husband, has addressed to the Duke of Wellington, General in Chief of the English Army, with a view of claiming the performance, as far as he is concerned, of the 12th Article of the Capitulation of Paris, which protects the Army and the Inhabitants of this Capital from being in any manner made responsible for their former conduct. Marshal Ney, relying upon that Treaty, remained in France, and can neither be tried nor detained without being the victim of his confidence in a promise, given in the face of Europe, and in the name of the English Government. I flatter myself, my Lord, that you will be pleased to give, as soon as possible, to the Duke of Wellington, and to the English Ambassador at Paris, such instructions as conform with the idea which in France is entertained of British magnanimity; and I look forward with confidence to what, on this occasion, your understanding and your equity will suggest to you.

(Signed.) *La Maréchale Ney, Princess of Moskowa.*

No. VII.—NOTE *from the Earl of Liverpool to Madame Ney.*

London, November 21st, 1815.

Madam; I have the honour to acknowledge the receipt of your Letter of the 13th instant; and it is with sentiments of sincere commiseration for the unfortunate situation in which you are placed, that I feel myself called upon to acquaint you, that I can return no other answer to the representations contained in your Letter, than by referring you to the Communications which have been already made by the Duke of Wellington and Sir Charles Stuart on the part of the Allied Powers, to Marshal Ney and to yourself. I have, &c.

(Signed.) *Liverpool.*

AUSTRIAN LOAN.] Mr. *Tierney* said, it was well known that a large sum had been lent by this country to Austria, which had never yet been repaid. It was desirable that the House should know what exertions his Majesty's ministers had made to obtain a repayment of it, and how it happened that their exertions had been unsuccessful. He wished to know whether the noble lord opposite, would have any objection to the production of all correspondence between this government and Austria on the subject.

Lord *Castlereagh* wished to know, whether the right hon. gentleman alluded to the correspondence of 1801, or to some supposed recent correspondence. If to the latter, he could without difficulty inform him, that no recent correspondence had taken place on the subject. If the right hon. gentleman's object was, to impress the House with an opinion that some arrangement should have been made with Austria on that subject, he (lord C.) should be prepared, on a proper occasion, to give reasons why his majesty's ministers had not thought fit to press any such arrangement on the Austrian government.

Mr. *Tierney* hoped the noble lord would consent to the motion for all correspondence which had passed on the subject; he should then have an opportunity of inculpating the ministers for having made no exertions, and the noble lord would have an opportunity of defending them. In 1801 it was to be remembered that lord Sidmouth apologized in that House, for not having made some arrangement with Austria on the subject.

Lord *Castlereagh* said, if the right hon. gentleman would defer his motion, until a future day, it would give him an opportunity of examining the papers, and judging whether his proposition could be entertained to its full extent.

PORTUGAL TRADE.] Mr. *Gordon* wished to know whether any commercial arrangement had been made with Portugal, whom we had so liberally assisted. Some part of the old commercial treaty with that country, especially as it was interpreted on the subject of the wine monopoly, was highly oppressive.

Lord *Castlereagh* said, that on the subject of the wine monopoly, he could give no satisfactory intelligence to the hon. gentleman.

Mr. *Gordon* said, his object was to know whether any new commercial treaty had been made, or whether the old one was in force.

Lord *Castlereagh* said, there had been no recent commercial treaty, but there had been considerable differences of opinion, and a long correspondence between the two governments: as to the interpretation of that article of the treaty respecting the wine monopoly, the difficulty still existed.

THE IONIAN ISLANDS.] Sir *Charles Monck* said, that, in the year 1809, he believed a letter had been received from lord Collingwood, announcing the surrender of the Ionian islands, Corfu, &c. The letter stated, that the French garrison had capitulated, that the inhabitants were rescued from the oppression of the French government, and that the septenary republic was restored. The re-establishment of that republic was recognised by the treaty of Amiens, though it had since ceased to exist. He now inquired of the noble lord, whether he would have any objection to produce the letter he had alluded to, if it existed, together with the articles of capitulation on which the surrender of the Ionian isles was founded. If the noble lord had no objection, he would to-morrow move an Address to the Prince Regent for the production of the papers.

Lord *Castlereagh* said, he could not now give any answer, with respect to the letter of lord Collingwood, which, it appeared, referred to a particular service. If the hon. gentleman meant to say, that the arrangements which had recently taken place, with respect to the Ionian islands, were contrary to the good faith of the country, or militated against any pledge formerly held out, he had no objection to produce any papers which the hon. member might conceive necessary to elucidate the subject, because, he was sure, he could clearly show, that no breach of faith had been committed.

Sir *C. Monck*—Will the noble lord object to a motion for an Address, at the present moment?

Lord *Castlereagh* though ready to give every necessary information, could not accede to an immediate motion, as he had not yet examined all the documents connected with the subject.

Sir *C. Monck* then gave notice that he would, to-morrow, move for papers relative to the Ionian islands.

Public Economy.] Mr. *Tierney* referring to the expectation which had been raised throughout the country, from that passage in the Prince Regent's Speech at the opening of the session, in which economical arrangements were spoken of, inquired whether any communication was about to be laid before the House, with reference to retrenchments already made in the public offices, particularly in those establishments which, though proper during a period of war, were not necessary in time of peace? After the peace of America, when the army estimates were laid before the House, a variety of reductions were stated, at the Horse-guards, &c. &c. Were government now prepared to state to the House what extent of reduction had already been effected, in the different establishments, and what farther reductions they intended to recommend?

Lord *Castlereagh* said, the right hon. gentleman would find, that considerable reductions had taken place in the different establishments, though he was not then prepared to enter into a detailed account of them. With respect to what farther should be done, that was under the consideration of his Majesty's government.

Mr. *Tierney* said, it would be very convenient, as soon as ministers had done away with any unnecessary office, if they would communicate the fact to the House. If any particular retrenchment had been effected, the sooner it was made public the better.

Lord *Castlereagh* said, he had given the best answer in his power to the right hon. gentleman. When his Majesty's government could fully state the new arrangements, they would lose no time in so doing.

Mr. *Tierney* said, as it was a matter of detail, why should it not be taken as such? The House should see in the case of each office, how much was saved to the public, and whether it was possible to save more. It would be competent to any member to move for an account of the money saved in each particular department; and this he believed would be the best way of appreciating the merit of the retrenchments.

Bill for securing the Liberty of the Subject.] Mr. Serjeant *Onslow* moved, "That the Report which, upon the 20th of June last, was made from the Select Committee appointed to consider of the state of the Law respecting the Writ of Habeas Corpus ad Subjiciendum, might be entered as read."* This having been done, the learned Serjeant stated, that he intended to propose certain resolutions founded on the report to which he had called the attention of the House. In the course of the last session of parliament, he had introduced a bill, for the amendment of the Habeas Corpus act that bill was carried through the House of commons, but objections were raised against it, in another place, and it was, in consequence, lost. He introduced the bill, before Christmas; but as an hon. gentleman wished it to be extended to Ireland, he let it stand over for some time. This he stated to show, that he had not proceeded hastily, or attempted to carry the measure by surprise. Gentlemen must be aware that the statute of the 31st of Charles 2, commonly called the Habeas Corpus act, only extended to persons imprisoned for criminal offences, leaving a wide range open for the exercise of oppression. He had, therefore, moved for a committee, to take into consideration the state of that law, as it respected writs of Habeas Corpus returnable in vacation. The committee had reported, that the law was incompetent in that point. That a writ of Habeas Corpus, returnable in vacation whether under the common law or the statute of the 31st Charles 2, might be set at defiance—and the person for whose liberation it had been procured, might still be subjected to confinement. This circumstance not only might happen, but had happened. Two instances of the kind had very recently occurred; and he thought the House ought to step forward and interpose its legislative power, to prevent disobedience of writs of Habeas Corpus, when returnable in vacation. The first case was that of a person named Hoffman. An individual calling himself the captain, of a

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* For a Copy of this Report, see Vol. 31, p. 891.

Spanish privateer, occasioned Hoffman Ruper to be put on board his vessel, where he kept him confined. A writ of Habeas Corpus was sued out; but, as it was returnable in vacation, no obedience was paid to it, and Hoffman remained a prisoner, from the 7th of April to the 5th of May. He was not only deprived of his liberty, but his life was absolutely in danger. One of the judges, who in his judicial capacity, could not assist the person aggrieved, wrote to the commissioners of the customs, to prevent the sailing of the privateer, and, but for this humane interposition, the case would probably never have come under the consideration of any tribunal whatever. The other instance was different in its circumstances. A girl of very tender years was seduced from her mother; a writ of Habeas Corpus was sued out to recover possession of her person; but as it was returnable in vacation, it was disobeyed. Here there was another remedy. The girl was a minor, and possessed of property. She was, therefore, made a ward of chancery, and by the authority of that court, she was rescued from those by whom she had been enticed away. These two cases had come before the committee, and, no doubt, had it been thought necessary to search after others, many more might have been found. But the fact that, except in term time, the act of 31st Charles 2, gave no power to compel obedience to the writ of Habeas Corpus, seemed, in his opinion, a sufficient ground for amending the law. The learned serjeant then adverted to the conduct of earl Ferrers, who had disobeyed a writ of Habeas Corpus, returnable in vacation, which was sued out for the purpose of procuring the liberty of his lady. When they considered the paroxisms of passion to which that unfortunate nobleman was subject, they must conclude, that the care of Providence, and not the perfection of the law, had saved her. Another case was that of lady Strathmore. Here, too, the writ was returnable in vacation. The consequence was, that a long period had elapsed before Mr. Bowes was compelled to give up her ladyship. But this was not the only deficiency, in the existing state of the law. When a return was made, no power was given to examine into the nature of that return. This was a point complained of not only by the officers examined before the committee, but by the judges, in the year 1758. Where a jury brought in a verdict, it might be demurred to—but here the affidavit, although the return be false, did away with any farther proceeding at that time. It might be said that there was a remedy. But what remedy could a married woman have against her husband, if he made a false return? What remedy could lady Ferrers or lady Strathmore claim? But even, where an action could be brought, he conceived in cases of this description, that no amount of damages could compensate an individual for the loss of liberty. It might be said that an alteration in the law would be dangerous, in cases of lunatics or persons just recovering from a state of mental derangement; but the committee had provided for this, by recommending that the judge before whom such persons were brought, should be empowered to give such directions concerning them as the necessity of the case might seem to require. The learned serjeant then read the following Resolutions:—

1. "That a power to compel obedience to Writs of Habeas Corpus ad Subjiciendum, returnable in vacation, is essential to the satisfactory administration of the law.

2. "That provision should be made for the summary inquiring into the truth of the facts contained in the return to Writs of Habeas Corpus ad Subjiciendum, where the detention is admitted and justified; and that power should be given to the court or to the judge before whom such writs are returnable, to discharge the persons imprisoned or detained, on bail, during such examination or inquiry, or in cases that may appear to require it, to make such order for the case, custody, or dispositions of the persons so imprisoned or detained, as the court or judge shall think proper."

The question having been put on the first Resolution,

The *Attorney General* professed, that till he heard the speech of his hon. and learned friend, he could not have anticipated that his present course was the one he meant to pursue. After what had passed in the committee, he conceived that his object would have been to bring in a bill, instead of moving the present resolutions. If he had followed that mode of proceeding, he would have stated his objections to particular provisions of the bill, if they occurred, and the improvements that might be suggested in the course of discussing it. The Attorney-general professed himself unable to adopt the present resolutions of his hon. and learned friend without further information. He could not go the length of saying, that the due administration of justice required a power to reside in every judge to compel returns to writs of habeas corpus issued in vacation time. The two cases which his hon. and learned friend had mentioned of the man detained on board the Spanish ship, and the young woman seduced from her friends, were not, in his opinion, sufficient to show that, justice could not be administered by the due application of law, as it at present existed. With regard to the complaints which the hon. and learned gentleman made concerning the impossibility, in the present state of the law, of procuring an explanation upon a false return, and his proposal of granting the summary method of making inquiry, he had equal grounds of doubt and objection. Had a proposal come from him (the Attorney-general) of granting such summary powers to the judges, of proceeding, on their own individual authority, to such acts as these resolutions would enable them to do, instead of allowing parties to seek redress by the usual course of law, he was convinced that gentlemen on the opposite side, who assumed to themselves the character of guardians of the liberty of the subject, would have been alarmed, and entered their protest against him. He was sensible that cases might occur, and some had been mentioned by the hon. and learned serjeant, in which severe distress might be endured, and great injustice practised, by false returns or continued confinement in the face of a writ of habeas corpus. He knew that a *femme coverte* might be kept in duress by her husband; that she might be detained by him where he pleased, notwithstanding a writ issued in vacation time to procure her release; that she might be carried about from one end of the country to the other, under circumstances of oppression; but, as the hon. and learned gentleman had allowed, there was no injustice without a remedy. There could, indeed, be no compulsory interference of the judges in the mean-time, but there might be a trial by jury afterwards.

Mr. Serjeant *Onslow* observed, that as he was extremely desirous to obtain unanimity if possible, he should adopt the suggestion which had been thrown out by his hon. and learned friend.

The resolutions were accordingly withdrawn, and the hon. and learned serjeant moved "for leave to bring in a bill for the more effectually securing the liberty of the subject."—Leave was accordingly given.

CLERK OF THE PLEAS IN IRELAND.] Mr. *Abercrombie* said, that as he saw a right hon. gentleman in his place, connected with the Irish government, he wished to ask a question relative to an office which it was understood was to be either regulated or entirely abolished. He was anxious to know whether, when that right hon. gentleman gave the consolatory assurance to the House that the office in question would be brought under the consideration of parliament, he was aware that the chief baron of the Irish exchequer claimed the right of patronage in the appointment to it, and that he had in consequence actually nominated his son to succeed the earl of Buckinghamshire?

Mr. *Peel* replied, that he had not had the slightest expectation that any such event would have taken place. He was therefore as much taken by surprise as the House could be. He did not hesitate to say, he had never understood the appointment in question to be vested in other hands than those of the Crown. From the time of queen Elizabeth, he knew of no instance in which this office had been held to be in the grant of any private individual. The right had not been claimed by any other judge who had sat in the court in which the learned judge who was referred to presided. A question might arise out of the present claim, which could only be decided in a court of justice, or in that House. At all events, parliament having expressed a desire that the office should be regulated, if even the claim to an interest in it were admitted, there could be no reason why the resolution of that House should not be carried into effect. Should the individual succeed in establishing his right to dispose of the office, it would be at least as necessary to bring in a bill for the regulation of it, as if it should prove to be vested in the Crown.

Mr. *Abercrombie* said, he was happy he had proposed the question, because it had afforded an opportunity for an explanation from the right hon. gentleman which could not but be highly satisfactory to the House. There was only one observation which he wished to make upon that explanation. The right hon. gentleman had intimated a doubt whether any future proceeding which might become necessary, should be decided in a court of law or in that House; for his own part, he should decidedly enter his protest against any reference to a court of law, as that House was the only fit place for the decision.

Mr. *Peel* said, he had not had time to give the subject all the attention it deserved. To carry an inquiry back to about the year 1300, when the English law was first introduced, required some consideration; and he had not felt himself prepared at once to give an opinion on it. In a few days he should be possessed of more information on the subject. Anxious to gain all that could be obtained, he had written to the commissioners now sitting in Ireland, to whom a reference had been made with respect to the duties of the office in question, desiring them to suspend the business they were at present engaged in, and to proceed immediately to investigate the claim thus set up. He had that day received a letter from the commissioners, in which they informed him they would forthwith comply with his wish. The result of their proceedings would, he trusted, place the question in a proper light. There might be a necessity for examining many things concerning it which would require some time; what fees, for instance, were exigible from suitors—whether they might be reduced or abolished—what duty was to be done by the deputy, and how he was to be paid; and, in short whether the office should be abolished altogether, or merely regulated.

Mr. *Rose* said, that if the grant of this office belonged to the chief of the court, the chancellor of the exchequer must have the disposal of it, and not the chief baron.

Mr. *Brougham* said, it was of no consequence to whom the right of nomination to the office belonged, for the report of the finance committee which was supported by the unanimous resolution of the House, had determined, that it should cease after the death of the then occupier. The resolution went virtually to an abolition of the situation, since it provided, that the deputy should do the duty, without any addition to his present salary.

Mr. *Peel* denied that there was a resolution of the House, of the nature stated by the hon. and learned gentleman.

Mr. *Brougham* said, it was a resolution of a committee of the whole House. He had consulted the journals when the subject was last before them.

IRISH GRAND JURIES BILL.] Mr. *Horner* rose to call the attention of the House to a subject of great importance with regard to the administration of justice in Ireland. He was a member of a committee last session appointed to inquire into the proceedings of the grand juries in that part of the empire. It appeared from the persons this committee examined, and the documents laid before it, that the very extraordinary practice prevailed in the proceedings of the grand juries, of finding bills of indictment upon the mere depositions obtained from witnesses by the magistrates, without any resort to parole evidence. This practice very much excited his surprise. He was not before aware, nor were many of his friends who acted with him in the same committee, that such a deviation from the law of the country, existed to any extent, or that it could be general. Such, however, was the practice over the greater part of Ireland. It was not of recent growth; it was almost as ancient as it was universal. It had prevailed so long, that the records of the courts scarcely reached back to a time when it did not exist. The hon. and learned gentleman proceeded to state what the practice really was, when it appeared, that after an examination taken by the magistrates upon oath, there was no other examination of witnesses till the accused was put upon his trial before the petty jury. The depositions taken before the magistrate were the grounds upon which the grand jury proceeded in finding a bill of indictment. The prosecutor laid these depositions before the grand jury, and upon this evidence obtained his Bill. No witness was called before them, or examined in support of the alleged charges. They had nothing to guide their judgments but the written evidence that the magistrate communicated. He thought it almost unnecessary to mention how different this was from the practice that prevailed in England in similar circumstances, and before a jury of this kind. Not only the members of the House knew this, but the least informed individual of the country. Before the English grand juries the witnesses of the prosecutor were sworn and examined. The depositions taken in the first instance before the magistrate were studiously withheld, and never allowed by the judge, unless in the case of any of the witnesses having died in the interval between their examination and the indictment of the prisoner. The written evidence upon which the magistrate committed the prisoner for trial was put into the hands of the judge, and never allowed by him to be inspected by the grand jury, except upon the contingency he had mentioned, and at the discretion of the judge, upon proper application to him for that purpose. This practice in our criminal proceedings was well understood, and never deviated from. There had been disputes upon the manner of taking evidence before a grand jury, and the extent to which the examination should go, but never concerning the propriety of requiring parole testimony before a bill of indictment could be awarded. There was even a pretension set up, that not only the witnesses of the prosecutor should be examined, but those likewise for the defence. All were agreed, that witnesses must be examined before the grand jury upon oath in England; and there was another point equally clear and admitted, that the common law of England and Ireland were the same. In determining what was proper to be done, therefore, we had only to inquire what was the law of England; and though an opposite practice had been long established in the sister kingdom, the length of usage was no sufficient bar against a return to the punctual administration of it. Even in Ireland, the usage was not uniform for the grand jury to be guided by the evidence taken by the magistrate upon commitment. In some counties, as Wexford for instance, the practice did not prevail; and in others there were departures from it. Even in the same county the usage was not uniform, as was proved by several of the witnesses examined by the committee. The hon. and learned gentleman stated the practice of several counties, to show the variety in the proceedings of the grand juries, and the necessity of recurring to the observation of what was, amid all deviations, certainly the law of the land. He would not look back upon the neglect that had been shown it; he would make no reference to the past, but for the purpose of evincing that it was completely forgotten, and that we were to turn our attention to the improvement of the future. He knew well how delicate questions concerning the administration of justice were, and, instead of making any reflections upon its past state, would propose the measures which the actual circumstances demanded. This was not difficult to be done. The law was, that there should be evidence—evidence upon oath, and the best evidence that could be procured. The practice was different. There was no evidence taken by the Irish grand juries; they satisfied themselves of the grounds of an indictment, without resorting to parole testimony. Here the hon. and learned gentleman read extracts from the minutes of evidence taken by the committee, on whose report he grounded his proposed measure, with the view of showing the irregular manner in which the Irish grand juries conducted their proceedings, and the necessity of recurring to a better system. He then proceeded to state the object of his bill. He paid high compliments to the judges who administered the law in Ireland. The bar, he said, was as much distinguished for ability, probity, knowledge, and eloquence, as any bar in the world; but there were some grievances of which he had reason to complain, as the mode of electing sheriffs, and nominating magistrates. He was convinced that the imperial parliament could do much with regard to the removal of those and other grievances. The present one, which he had explained, would be easily removed. He was entitled to say, that there was no grand jury at all in that country, as, except in particular cases, they had no other evidence to guide their decisions but what the magistrate had transmitted them. He was, therefore, the only person who deserved the title of a grand jury. There was no check to oppression, therefore, from the grand inquest. This was a most important privilege, of which Ireland was deprived. There was nothing that could be more essential to the interests and rights of those individuals who were exposed to trial, whether justly or unjustly, than restoring this privilege. For this purpose, he thought the grievance should be redressed by a declaratory act. There would be no necessity for an enacting statute, but merely for a declaratory one. Any other would, besides being useless, have the appearance of altering the common law of the land. He therefore moved "For leave to bring in a bill to declare the law for the right proceeding of grand juries in Ireland upon bills of indictment."

Mr. *Peel* declared, that he felt no intention of opposing the principle of the measure now suggested, but he imagined that no one could deny that such a subject demanded the most anxious inquiry; that in endeavouring to introduce an important alteration in the customary practice of the grand juries of Ireland, in counteracting a usage confirmed by immemorial custom, great difficulties must present themselves; and that the House should, above all things, deprecate precipitation. A considerable time must necessarily elapse before the provisions of this measure could be brought into operation. The next assizes in Ireland must take place early in March; before that period it would be impossible to run the bill through all its stages; consequently, as it could not be applied until the succeeding assizes, no necessity existed of pressing the question. He suggested that some alteration in the civil proceedings of grand juries in Ireland might, perhaps, in that time, be adopted, and that thus associated, the measure would be rendered more permanently beneficial to that country. With sincere pleasure he had heard the candid declaration of the hon. and learned gentleman, that no censure could be applied to the very distinguished and honourable persons who administered the laws in Ireland, and with him he also agreed in supposing, that the law now to be introduced should be declaratory; but he begged leave to observe, that the hon. and learned member appeared somewhat precipitate in declaring that the practice of the grand juries in Ireland was contrary to the precepts of the common law. He allowed that the authority of the hon. and learned gentleman in a case of this nature, was very high; but as far as it related to Ireland, he would oppose authority of no small eminence. As far as constant practice could constitute the common law of any nation, he had the statment of the hon. and learned gentleman himself to support his opinion, that the present usage was the common law of Ireland; for he had asserted that it seemed to exist from time immemorial. The practice, as such, had been sanctioned by the first legal authorities of England; for not many centuries past, few lawyers who practised at the Irish bar, were raised to the bench. The judges were supplied almost intirely from Westminster-hall, and these, some of whom were the brightest ornaments of the profession, had sanctioned the practice by their approbation. The name of one of them was familiar with every person the least versed in legal information, as his authority was ever regarded with the highest respect; he alluded to chief baron Gilbert, who had been successively chief justice of the common pleas, and chief baron of the exchequer, in Ireland, and subsequently chief baron of the exchequer in England. Chief Justice Reynolds, of the common pleas in Ireland, was also an Englishman, and yet, with these, and many others, the practice then prevailing in the grand juries of Ireland had such an influence as to prevent their attempting to disturb it. The hon. and learned gentleman had indeed justly stated, that, in 1762, doubts as to the legality of this practice had been stated by chief justice Aston, and a meeting of the judges was convened to consider them. At that time there were only nine judges in Ireland, and of that number seven agreed in the legality of the practice, and continued it in consequence of its general convenience in the country. Among those who acceded to that opinion were, lord chancellor Bowles and chief justice Willes, both Englishmen. He appealed, in support of his opinion, to the indirect authority of both houses of the Irish parliament. The question, indeed, had never come before the House of Commons, but their silence might be considered a proof of their general concurrence in the practice. It might indeed have been a departure from the common law, but it appeared to them justifiable, in consequence of the great press of civil business which belonged to grand juries, and partly perhaps from a desire to protect witnesses from the indignation to which they were exposed in that country. The indirect authority of the House of Peers, was, however, more distinctly marked, for they had suffered one of their own body (lord Sandford) to be executed for murder, on proceedings precisely the same as were usually adopted on all common indictments. He was pleased that, in the introduction of this measure, no censure was attached to any persons whatever for all past proceedings, and while he agreed in the general expediency of the bill, he hoped that no grounds for objection would be admitted into the wording of it.

Mr. *Ponsonby* expressed his obligations to the right hon. gentleman for the judicious manner in which he had treated the question; but there was an observation advanced by him in the course of his speech, which it was impossible to pass by unnoticed. The right hon. gentleman seemed to think that the common law of Ireland was different from the common law of England, but such a circumstance was altogether impossible. When the

English law was first introduced into that country, it wholly superseded the usual or Brehon law previously existing; and by a statute in the reign of Henry 3, the statute law of England was, up to that period, received as the statute law of Ireland. This was the second great reception of English law, which completely assimilated the law systems of both countries. If, in the course of time, any deviation from that system should have taken place, he was not willing to imply censure on those who had acted under present practice, but, at the same time, he felt the expediency of an alteration, which could not be effected but by an act of the legislature. His hon. and learned friend had said, that the law should be administered in Ireland, as it was in England, and in this he quite agreed with him. He had felt that the committee which had been appointed to make those inquiries, from whence the present proposition had resulted, would be of serious advantage. On that committee several English gentlemen had attended with great assiduity, and in their labours he confidently hoped Ireland would obtain the best security for a full and perfect enjoyment of the great and estimable advantages of the English institutions. He expressed an ardent hope that the bill would be carried through the House in the same spirit of moderation which had marked its first introduction.

Mr. *Peel* rose to remove the impression of his having appeared to consider the common law of the two countries essentially different. The hon. and learned mover having represented the present practice of grand juries as a deviation from common law, he had merely stated the high authorities by which it had been sanctioned.

Sir *John Stewart* admitted that the common law in both countries was the same, but the practice prevailing in Ireland, for which he believed there was no statute, was anciently the practice in England also. He was glad, however, to witness the feelings of the English members towards his country, and would gladly lend his support to the object of the hon. and learned mover.

Mr. *Knox* was of opinion, that notwithstanding the labours of the committee, they had not been able to find one instance in which a practical grievance had resulted from the present mode; and unless some substantial grievance could be proved, he must enter his protest against abolishing any old established practice. The grand juries of Ireland were not, he could assure the House, so indifferent to the lives and liberties of their countrymen, as to send them to trial upon slight and improper grounds. It was only when they were convinced by the clearest evidence, that they made out their presentments. The House should recollect, that the business of the grand juries in Ireland was much more extensive and complicated than that of the grand juries in England. The former, besides finding bills of indictment in criminal cases, had to attend to various local interests, particularly proceedings against illicit distillation; and if their time was to be taken up by the examination of evidence in all criminal cases, it would be impossible for them to get through what they had to attend to. He would suggest deferring the measure till a later period of the session, in order that a fuller attendance of Irish members might be obtained, whose opinions ought to be consulted.

Sir *Samuel Romilly* declared, that he could not sit silent, when he found it questioned whether, by the common law, a grand jury could not find a true bill of indictment without hearing *vivâ voce* evidence. The hon. member who spoke last had, he apprehended, confounded the presentments of grand juries with bills of indictment preferred to them on evidence adduced by the prosecutor. The single point in question was, whether Ireland was to have the benefit of grand juries or not? It was a widely different thing to an individual charged with any offence to have the bill thrown out by the grand jury, and to be acquitted on his trial before the petit jury. In the former case, he stood perfectly justified and unsuspected; in the latter, he might be supposed in society to have escaped upon some point of law, or some unforeseen defect of evidenee. The people of Ireland had been hitherto excluded from this advantage; and he did not think it difficult to perceive that it had been productive of much practical evil. This perhaps might be shown by a reference to the vast disproportion, in that part of the empire, between the number of persons tried for murder since 1810, and the number convicted. The number committed upon this charge could not fail to strike the House as prodigious. In the year 1810, 237 were tried, and 15 convicted: in 1811, 307 were tried, of whom 24 were convicted; in 1812, 271 were tried, and 17 convicted; in 1813, 315 were tried, and 42 convicted; and in 1814, 205 were tried, of whom only 13 were found guilty. The number tried, greatly exceeded that of England and Scotland, but the disproportion of the convictions was still more unexampled. These facts appeared to him to furnish sufficient ground either for alteration or inquiry. The question was of the most important nature, inasmuch as it affected the administration of criminal justice, and involved the sacred duty of disposing of the lives, the liberties, and properties of our fellow-subjects. He did not mean to throw any blame on the Irish judges, the fault might not be with them; but it was a subject on which there ought to be but one interest and feeling in both islands, especially since Ireland by the union had become identified with ourselves, and entitled to an equal share in the benefits of the constitution.

Sir *Frederick Flood* declared, that it was the uniform practice in the two counties in which, for more than thirty years, he had presided as a magistrate and foreman of grand juries, always to receive the *vivâ voce* evidence of witnesses before any bill was found. He did not deny that the practice was different in other counties; and though he regretted that written evidence should at any time be sent before a jury, yet he thought the present question was one of a most delicate nature. He was concerned lest any improper notion should go abroad respecting the conduct of the grand juries of Ireland generally, for he would take upon himself to say, that a more chaste set of men could no where be found. Their custom had been sanctioned by the most able judges of the land, and therefore they could not be supposed to have acted wrong. He knew that the grand juries who did find the bills upon written evidence appeared in court to have the information substantiated, and to see whether the witnesses had sworn the truth or not. The subject was delicate, because it implied a charge against all grand juries, and therefore he trusted, if the bill passed, that it would contain an exception of the counties of Wexford and Kilkenny where the practice was different, as he had stated already. There might be many judicious amendments made in the bill, provided it were not hurried through the House this session. He considered the bill to be unnecessary; and hoping the object of it might be attained without passing a law on the subject, he wished the hon. and learned gentleman to let it stand over for a time.

Mr. *Courtenay* was of opinion, not only that the bill ought to pass, but that if ever there was a case requiring that a declaratory law should be passed, the present instance afforded one. For his part, he thought that there should be a declaration added to the bill, that the practice in Ireland, as it had existed of late was contrary to the common law. In England it was allowed by all lawyers that grand juries should proceed on evidence *vivâ voce;* in Ireland no such evidence was required, and yet there was nothing peculiar in the character of Irish magistrates or juries to justify this difference. He contended that it was a monstrous doctrine that juries should act in Ireland on less evidence than they did in England, and added, that the very arguments alleged against the bill were so many reasons to prove the propriety of its passing If he were called upon to point out a case which made such a declaratory enanctment necessary, it would be that which the hon. baronet who spoke last had stated; namely, that the judges had directed grand juries to proceed upon *vivâ voce* evidence, and not upon written examinations. This circumstance alone, if no other could be brought to support the measure, rendered it fit that the law should now be declared. The common law of England was the common law of Ireland, and the practice in both countries ought to be the same.

Dr. *Duigenan* agreed, that the common law in both countries was one and the same, but that the practice had been different. In one, the grand juries found a bill on *vivâ voce* evidence, in the other, on written examinations. This variation, however, might have arisen from particular circumstances, which it was then unnecessary to discuss. No person could be more anxious than himself for the due and regular administration of justice in Ireland; and he trusted the House would adopt such a course as might appear to be most beneficial to the people of that country.

Mr. *Horner* rose to reply. He said he thought it rather hard that gentlemen should bring charges of precipitation and indelicacy against him, without having taken some pains to inquire into the truth of the allegations. So far from wishing to act without the concurrence of the hon. member for Sligo, it had been expressly agreed between them that he should propose this measure separately, without interfering with the other matters contained in the report of the committee, inasmuch as it was only to be settled by a declaration of the law. With respect to the precipitation of the measure, the hon. baronet seemed to forget, that he had introduced the bill in the last session of parliament, when he was induced to withdraw it at the request of the right hon. secretary for Ireland, and had pledged himself to bring it forward again on the first day of this session. In the course of his speech he had expressly declared, that he did not wish to press the discussion till the gentlemen from Ireland should be present: a call of the House would soon give them the benefit of their assistance, and he should be happy to attend to every argument which they might urge. The hon. baronet had stated what had occurred in Ireland since the report was made. He understood him to say, that the judges had charged the grand juries to proceed on *vivâ voce* evidence. He should like to know whether that was really the fact, and whether the grand jurors had obeyed such directions? If the hon. baronet would satisfy him of the correctness of that statement, it would be the most material point of which the House could be in possession.

Sir *Frederick Flood* had merely said, that he thought it would have been more delicate in the hon. and learned gentleman to wait till the member for Sligo came over; but he was now convinced, that they had agreed upon the course to be pursued. He had heard that the judges had specifically directed the grand juries to proceed on *vivâ voce* evidence; but whether they had acted conformably to such instructions, he could not venture to state.

Leave was then given to bring in the bill.

NAVY ESTIMATES.] The House having resolved itself into a Committee of Supply,

Sir *George Warrender* in rising to bring the subject of which he had given notice before the House, would not trespass long on its attention, as he was satisfied, that however disposed the gentlemen opposite were to watch the conduct of government with a scrutinising eye, it was not against the navy that their jealousy would be directed. He trusted he should be able to show, that in the arrangements, which had been made, economy had not been neglected, though that delusive economy had not been resorted to, which, on former occasions, had led to much inconvenience and danger, and ultimately to much expense. To the objections urged to the apprehended reduction of our naval establishment, which some had feared would not be kept up on a sufficiently extended scale, he trusted a satisfactory answer would be given, when he stated that, it was not the intention of the naval administration of the country to put the navy in a condition other than that of perfect efficiency. By efficiency he meant, it would be kept in such a state, that it would be able to contend with the united navies of the world. He should now compare the naval establishment which it was intended to keep up, with that which had been determined on at the close of the last war, though to refer in this way to what had been done at other times, might not be the most convenient course, as he was prepared to contend, that the question now to be considered ought to be viewed with a reference to the circumstances of the present day; to the state of our foreign commerce, and the number and importance of our colonies, rather than with a reference to what had been thought sufficient when the situation of the country was very different from what it was now known to be. It might be expected that he should advert to the stations of the several squadrons now employed, and to those changes which had caused a considerable increase on the last peace establishment. In the East Indies no addition had been made to the naval force which it had been thought wise to keep up at the time of the last peace. For the Cape, which was perfectly a new station, and which, from its connexion with St. Helena, now of more importance than ever, from its being the place wherein he who had so long disturbed the repose of Europe, was confined, must demand particular attention; and for the Mauritius, a very considerable squadron had been appointed. This, however, was limited to the very lowest scale which the distinguished admiral on that station had thought would be sufficient. Eleven ships of the line had been thought necessary for this service. In the Mediterranean it had been thought advisable to substitute 74 gun ships for those of 50 guns, which had heretofore been employed. A small squadron had been stationed off South America in compliance with the applications made since the last peace, in order to protect our growing trade in that quarter. This, it would be observed, was also quite a new station. The force stationed at Jamaica and the Leeward islands had been somewhat diminished; but, in consequence of the situation in which they stood with respect to South America, the reduction here was but small. One frigate had been added to the force stationed off North America; and on the coast of Africa a squadron would be maintained equal to that kept up during the last peace. The squadron on the home station would be the same as that maintained in 1792. It was proper to remark, that had there been no new stations to occupy, an increase of men for the peace establishment would be necessary from other circumstances. This partly arose from larger frigates being now more generally in use than they were formerly. These, from the arrangements made by other powers, had become necessary to us, and those now in commission required 260 men, instead of the former complement of 200. He also thought it very important, that a corps of royal marines should now be maintained, which were not thought to be necessary formerly. The inconveniences, however, which had been found to result from being compelled to have recourse to troops of the line, where the service could best have been accomplished by a body of marines, were so considerable, that he hoped they would be guarded against for the time to come; and with this feeling, he held it to be consistent with the most rigid economy, that a fourth corps of marines should be kept up. Doing this, to avoid again having recourse under particular circumstances to troops of the line, where marines would be better employed, gave an increase on the navy estimates above those of the former peace establishment of 5000 men. It must be satisfactory to the House and to the country to know, that this augmentation of our force was called for by the increase of our foreign trade, and the valuable additions which had been made to our colonial possessions. The total number of men required for the navy on the peace establishment would be 23,000. In the present year, from circumstances already explained, 33,000 would be moved for. This was fewer than had been called for at the close of the war of 1763, and in the year which followed the last peace. In 1803 it was thought necessary to keep up the navy to 110,000 men. He claimed some merit for the naval administration of the country, for the rapidity with which they had paid off so large a portion of the navy, and also for the celerity with which they had fitted out a large portion of the naval force to be kept up during the peace—two 50 gun ships, 14 frigates, and 27 sloops, having already been got ready, and perfectly manned. Not more than 4000 men were now wanting to complete the force required. The celerity thus displayed he believed it must be admitted was perfectly unexampled in the annals of the proceedings at the close of former wars. He thought it unnecessary for him to say more at present, but holding himself ready to give any further information that might be demanded, he trusted the House would feel, that however desirable economy might be, those measures would not deserve that character which went to break up important establishments, which when again wanted, would occasion the country an immense expense to raise them up again. This observation, which might be extended to a great variety of objects, was particularly applicable to the navy. The hon. baronet concluded with moving,

1. "That 33,000 men be employed for the sea service for the year 1816, including 9000 royal marines.

2. "That a sum not exceeding 761,475*l.* be granted to his majesty, for wages of the said 33,000 men, for thirteen months, at the rate of 1*l.* 15*s.* 6*d.* per man per month.

3. "That a sum, not exceeding 1,077,862*l.* 10*s.*, be granted to his majesty for victuals for the said 33,000 men, for thirteen months, at the rate of 2*l.* 10*s.* 3*d.* per man per month.

4. "That a sum not exceeding 922,350*l.* be granted to his Majesty, for the wear and tear of the ships in which the said 33,000 men are to serve, for thirteen months, at the rate of 2*l.* 3*s.* per man per month.

5. "That a sum, not exceeding 150,150*l.* be granted to his Majesty, for ordnance for sea service on board the ships in which the said 33,000 men are to serve, for thirteen months, at the rate of 7*s.* per man per month."

On the first Resolution being put,

Mr. *Ponsonby* said, he felt considerable reluctance in making any observations on the statement of the hon. baronet, as he was at all times afraid of saying any thing that might appear to reflect on the services of the navy. But, notwithstanding his predilection for that important branch of our forces, he could not abstain, under the present circumstances, from entering his protest against the supply which had been proposed. Whether it was a greater amount than necessary or not, he did not pretend to say. He did not know the details of the present service; and, in laying down so extensive a marine establishment, it might be unfit, nay impossible, to reduce it below what was stated. He must take it, on the responsibility of the hon. baronet and his colleagues, to be a proper number for the present year. But it would require much stronger reasons than he had yet heard, for voting that number as a permanent peace establishment, which, on an average, had amounted to only 18,000 men. It would be necessary, therefore, to establish in the opinion of the House the necessity of a greater number. That necessity must be shown to exist, not from the state of our trade or commerce, but from the maritime force of other powers, who might attempt to interfere with our naval strength or safety. The American war closed after two naval campaigns, in one of which the fleet of the enemy rode triumphant in the British channel; and, in the other our ships were compelled to seek security in our harbours against the combined fleets of France and Spain. If, then, at the close of that war, the House thought 18,000 men sufficient for our safety, what could now induce them to vote 23,000? Spain and France were now in alliance; and though he did not place much security on their friendship, yet where was their power to injure us? The fleet of Spain was annihilated, and that of France was so reduced as not to deserve any serious consideration on our part. No nation in Europe had any formidable navy; and the combined fleets of the world could not collect 25 sail of the line to meet us. It was true, France had 20 ships at the termination of the war; but no one would contend that they were at all equal to a contest with us. But suppose that France should show a disposition to put her navy in a formidable state; could she proceed faster than we could? Or could it be a secret to those at the head of our naval affairs, that France and Spain were making preparations? It must require a considerable time to augment their maritime strength, and we could not fail to perceive their motions. They could not have the means of increasing their power at sea in any way in which we should not be equal to their exertions. It was quite unnecessary, therefore, to maintain a greater number of men than after the American war. Would any one pretend that a larger force should be employed at home? The mere circumstance of having new stations was not sufficient, unless it could be shown that no diminution of men on the old stations was expedient. For these reasons, he was at a loss to conceive the necessity of this great increase of the service. With regard to other parts of this establishment, he rather wished an increase than a diminution: he alluded to the situation of the lieutenants and inferior officers of the navy. Those brave and meritorious men did not receive a sufficient remuneration. Their services, however, should not be forgotten; and a much less sum than that required for the additional 5000 men would provide comfortably for them. If he was in error, he would listen with great deference to those who were better informed; but the time might come, when he would make some proposition to the house to that effect. He objected, however, to this great increase of the number of seamen; for, if the House should consent to vote them, it would be idle to talk of economy. If they were to vote them, they must pay them, which would throw great and unnecessary burthens on the country. He was convinced, that, with the former peace establishment, we should have no danger to fear, and he must, consequently, object to the vote of a single additional man.

Mr. *Law* thought it behoved this country to keep up a respectable naval establishment, although peace had been concluded; and the more especially when it was considered that the American navy, so far from being injured by the late war, had returned to their ports triumphant and confident in victory, and were engaged, with redoubled vigour and energy in extending their maritime power. The government of America, was, in fact, ready for a new war, and every expression of the Congress, and of the feelings of the country, gave fair grounds to conclude that they were anxious again to bring their naval force in competition with ours. It behoved the House also to look at the maritime power of France, which was by no means so weak as the right hon. gentleman would insinuate. So far from this, it was a fact universally known, that the French navy never was more powerful than during the period immediately preceding the overthrow of Buonaparté, and even at this moment their ships of the line amounted at least to 30 sail. Independent of this, it was a notorious fact, that among the political circles abroad, while on the one hand the supremacy of the French army formed a topic of comment, on the other the supremacy of the English navy was equally condemned, and now that the one had been humbled, the expediency of humbling the other was with them a subject of serious consideration. With these facts before the House, as well as upon a review of the magnitude of the naval force which the conjoint energies of the other powers of Europe might produce, he considered that so far from diminishing our establishment, it ought to be greatly increased. He could not on this occasion refrain from bringing a charge against the hon. baronet for the precipitancy with which he had paid off the navy during the last summer. The whole amount of our naval establishment previous to the conclusion of the peace, was 145,000 men; and this, with the exception of some men paid off in 1814, had in a few short months been reduced to 33,000. It was impossible to conceive the ill effects which had resulted from this imprudent haste. In some ports no less than 2,000 men were discharged in one day; and the disturbances in the North afforded the best illustration of this inexcusable conduct.

Sir *George Warrender* said, he wished to set the hon. gentleman right as to the statement which he had just made, which had not to boast of being perfectly correct. The hon. gentleman had stated the naval force of the kingdom, at the conclusion of the war, to have amounted to 145,000 men. If however he had taken the trouble of recalling to his mind the votes of the last session, he would have found that the real establishment for which parliament had provided, did not exceed 90,000 men. With respect to the precipitancy with which the navy had been paid off, the best answer which could be given to this charge was, that throughout the whole of the operation not one single act of insubordination had taken place—a circumstance he believed, without parallel at the conclusion of any former war. The view which a right hon. gentleman had taken of the state of the naval forces of Europe, was by no means well-founded, from whatever source he had obtained his information. It should be recollected, that in the very last action with the French, the Toulon fleet opposed to lord Exmouth consisted of 17 sail of the line and seven frigates, and fought with an ardour and skill which had not been exceeded for many years. Upon a late occasion, too, there had been no less than eleven French frigates sent out from the ports of that country; and although nine of them had found their way into English harbours, yet the fact of eleven having been prepared for sea afforded no inconsiderable proof of the ability of France to equip a naval force. At this moment there were no less than 60 ships of the line in French ports; and taking the whole naval power of Europe independent of Great Britain it could not be estimated at less than 200 sail of the line. Such being the case, he would ask the House, he would ask the country, if they would wish to see the establishment of this country, reduced to twelve guard-ships? No! it would be said let us rather submit to all the burthens of taxation than diminish that navy to which we owe all our glory, all our security! It had been urged, that reductions might be made in some of the foreign stations; but the situation of Spanish America was different from what it had been; our merchants desired protection, and it was proper they should have it. As to any reduction in the West Indies, could we forget or overlook the new power growing up in that quarter—the power of North America? As to the navy half-pay, large additions had already been made, and for his part he wished it could be greater still; but there was a duty to the public as well as a duty to the navy, and if the half-pay were to be increased, it must be at the expense of the country, and could not be accomplished by a further reduction of the navy. Whatever might be wished, he could not hold out any hopes of an increase in the half-pay of the navy.

Mr. *Law*, in explanation, said, he had not stated that the naval force at the conclusion of the war was 145,000 men, having distinctly alluded to some which had been paid off in 1814—145,000 was the total amount engaged in the war; and he repeated, that the precipitancy with which they were discharged had been productive of serious ill consequences. He had now to ask the hon. baronet, why the naval establishment at present proposed was less than at the conclusion of the war in 1803?

Sir *G. Warrender* said, that the number of ships was the same, and that the complement of men in those ships had been increased, in consequence of the example which had been set us by those nations, with which we had been at war.

Mr. *Rose* was surprised for the first time at hearing the Admiralty blamed for paying off the navy upon the return of peace. He denied that the disturbances in Northumberland were attributable to the discharge of men from his Majesty's service; and as a proof that there was no want of employment for these men, he instanced the fact of a frigate, destined to convey our ambassador to America, having been detained at Portsmouth for many days for the want of hands to navigate her —many other ships being in the same condition. The right hon. gentleman then generally contended for the expediency of this country maintaining a respectable naval force in time of peace, and adduced various instances in which the want of such a force had been productive of serious ill consequences to the interests of Great Britain—a fact which he said had been admitted by Mr. Pitt himself, who had said, that unless we had men enough at the beginning of a war to man a fleet, we should be severely wounded in some place or other. Under all the circumstances, though no man was more anxious than himself to economise the expenditure of the country, he never yet saw a plan less exceptionable on that account than the present.

Mr. *Ponsonby* renewed his objections to the proposed establishment. He descanted on what had fallen from an hon. gentleman on the subject of America. He hoped that country did not feel those sentiments, with respect to England which had been imputed to it, and lamented that any thing should be said in the House of Commons here, or in congress in America that might tend to inflame the two nations against each other. The language held by the hon. gentleman had (though he was sure he did not intend it) that tendency, as it appeared to him. He dreaded the excitement of a spirit of hostility, as he felt that no two countries were so well fitted to meet on equal terms as friends, for their mutual advantage, and none possessed greater means of injuring each other.

Sir *Charles Monck* opposed the vote, conceiving, as he did, that the encouragement of our commerce, and thereby the material of our navy, was all that was necessary to ensure us a large naval force whenever it was found necessary. He asserted that the disturbance of the seamen in the North, originated in a quarrel with the colliers, and not from their being paid off.

Lord *Milton* could not approve of what had been said with respect to the necessity of increasing our navy exactly in proportion to the number of ships fitted out by other powers. If this was adopted as a principle, it would only create a feeling of rivalry; and we might go on adding ship after ship to our navy, on the plea that America, or some other power, was equipping a new ship, till our establishment was increased beyond all bounds, and that of other countries, to an unnecessary amount. The hon. baronet had said, that in India there would be no increase of our naval force. It would have been strange, indeed, to have proposed any increase in that quarter, considering that all the islands and other points from whence our possessions there could be attacked, were now in our power. The real foundation of the power of Great Britain was its commerce. This, he thought, the true source of the prosperity of the kingdom; and not a navy of 33,000 men. If the naval power of the country was endangered, the fault would not be with the naval administration, but could only arise from the negligence of those employed in the foreign department in not making use of the information which they must have it in their power instantly to procure, of any increase of the navies of foreign states. The hon. baronet had taken credit to himself (and, he was ready to admit, with some reason) for the celerity with which reductions had already been made in the navy by paying off so many ships. He had therefore only to hope, that the hon. baronet would continue to exercise his abilities in the same way, to a still greater extent. The noble lord concluded, with suggesting the propriety of a more limited time for the proposed establishments, than the whole of the year 1816.

Lord *Castlereagh* thought, from what had passed, that, as far as the vote for that night went, it would not be objected to; therefore he would only trouble the House with a very few words, as it would be much more satisfactory to reserve the minuter view of the subject to the proper time when it would come before the House. The best general principle in the formation of a peace establishment must be, to combine security with economy. It was on this principle, that, owing to the unsettled state of the world at present, it had become necessary, on many remote stations, to keep up a very considerable naval force, for the purpose of inspiring that confidence which was so indispensable to the prosperity of our commerce. The knowledge that there was a British flag in remote seas, gave to the merchant the earnest of security and protection for carrying on his traffic. To prevent any danger, the sure way was to give no opportunity for attack, by keeping up a strong force wherever it was most probable it could in any case be meditated. On the particular station alluded to by the hon. baronet, it was necessary to have a strong force for securing the safe custody of the individual confined there. As to the establishment at home, it had been found better, with a view to economy, instead of completely reducing the fleet and retaining only guard-ships, to keep the guard-ships at a very low rate, and to have at the same time other ships fit for service. It was a great advantage, in every respect, to have ships ready to be sent on foreign service at the shortest warning. The noble lord said, he could not sit down without adverting to what had fallen from several honourable gentlemen in the course of the debate, as to the jealousy to be entertained towards foreign powers increasing their navy. He should be sorry if in that House, or out of doors, any inference was to be drawn to inculcate a belief that government entertained any feeling of jealousy on this subject towards any foreign state. As to America, it had been said, that the people of that country were jealous of us; and to a certain extent, perhaps, this was said with truth, but at the same time it was to be recollected, that in this country there existed great prejudices against America. It was his most earnest wish to discountenance this feeling on both sides, and to promote between the two nations, feelings of reciprocal amity and regard. Certainly there were no two countries whose interests were more naturally and closely connected; and he hoped that the course which the government of each country was pursuing, was such as would consolidate the subsisting peace, and promote harmony between the nations, so as to prevent on either side the recurrence of any acts of animosity. Above all he deprecated the spirit of imputation against foreign governments, which, with whatever intention they might be thrown out, were always productive of the worst consequences. Conjectures on counsels not understood, were ignorantly hazarded, even on matters unconnected with the affairs of this country. He was happy that on this subject he had met with an ally in the right hon. gentleman opposite (Mr. Ponsonby), and hoped they would cordially co-operate in the encouragement of feelings of friendship and good-will between America and this country.

Mr. *Ponsonby* said, he had never heard any expressions on his side of the House, calculated to excite jealousy in the mind of any foreign power; if he had, he should have felt it his duty to reprobate it.

Lord *Castlereagh* said, it was probable the right hon. gentleman was not in the House on the occasion to which he referred, but he assured him that the gentleman to whom he had alluded, had uttered observations which were calculated to excite jealousy in every state, with which we were in alliance, except America.

Mr. *Forbes* entered at some length into the subject of remunerating the officers of the navy. He complained, that their case had never been properly considered by the House. Much had been said about placing the army and navy on the same footing, in the matter of the erection of a monument; but the subject to which he wished the House to direct its attention was of infinitely greater importance; it was, that the officers of the navy should be placed on the same footing with those of the army, as to pay and promotion. He enlarged on the advantages which the country had derived from the navy, whose services had absolutely effected the salvation of the country. He then complained of the situation of the officers in that service, as compared with those in the army, especially contrasting the hard service, scanty pay, and tediousness of promotion in the case of a midshipman, with that of a volunteer or ensign in the army. He took occasion strongly to animadvert on the remissness of the officers of the navy, who had seats in that House, in not bringing this matter forward, and proposing some addition to the half-pay. Referring to the monument which had been voted to the navy, and the miserable state of its officers, he remarked, that as to what the House had done for them, it might be truly said, that when they asked for bread they had given them a stone. Some poor naval officer, passing this monument, might perhaps read his own name inscribed upon it, when he had not a shilling in his pocket to pay for his dinner. The army was amply provided for, and he was heartily glad to see it; but he was very much afraid that the day might be long looked for before the navy was put upon the same footing.

The *Chancellor of the Exchequer* observed, that in the course of the debate those discussions had very properly been deprecated, which tended to excite a feeling of jealousy towards foreign powers. What, then, was to be said of those who inconsiderately threw out what could only tend to excite dissentions between the two great classes of the public service? The hon. member who spoke last, had no right to conclude, that although no addition had at this time been proposed to the half-pay of the navy, that it was not proposed to increase the pensions. If the hon. gentleman had only waited until the proper time, when this subject would be brought before the house, he would have heard, what he was now happy to state—that government had given to the navy what would place them on exactly the same footing with the army. But even if the hon. gentleman, with the means of information open to him, had inquired, he would have found, that by comparing the half-pay of the navy now with what it had formerly been, it was as great as it could be made, and equal in proportion to the increase made in the army. It was, however, he was aware, impolitic entirely to assimilate the services. He only desired that gentlemen would take the pains, before they made their declarations in the House, to see how the matter stood with regard to former years, and it would be seen that in many cases the navy had much the advantage of the army. These were, however, subjects which would in a few days come under discussion, and therefore this premature debate could not be too much deprecated. He could answer for the government, that it was their earnest desire to do justice to both branches of the service; but he would remind the House how easy it was for gentlemen to lavish away the public money in detail, and complain of it in the gross. Every one must be aware of the difficulty of arranging such a subject as the present, with fairness and justice on all sides; but if it should be found that there was any disproportion of advantages either on the one side or the other, he should be ready to receive any hints that would be given, as far as the present situation of the country would admit.

Mr. *Forbes* denied that he had ever entertained a disposition to sow dissentions between the army and navy; he was incapable of conduct so base.

The *Chancellor of the Exchequer* did not impute to the hon. gentleman any thing so base as a deliberate intention to excite jealousies, but wished he had well considered the subject before he had brought it forward in the way he had done.

Sir *Joseph Yorke* was much surprised at hearing the hon. gentleman state that there was no officer in that House who on any occasion came forward and took part in endeavouring to benefit the officers of the navy, and considered that hon. gentleman was bound to apologize in a parliamentary way to the House, for his observations to that purport.

Lord *Palmerston* reminded gentlemen that the navy had received pensions for wounds which the army did not do till 1811; but as far as possible both services had been put precisely upon the same footing.

Mr. *Forbes* again, in explanation, observed that he had before said that officers in that House had taken no part on this subject on the present occasion. The hon. admiral had risen that night, and he hoped to see him rise and do his duty upon all future occasions. In his own observations he perceived nothing improper or unparliamentary, nor any thing which required an apology to the hon. admiral, or any other person in the House.

Admiral *Moorshem* said, that although neither himself nor the other naval officers in that House were in the habit of participating often in the debates; yet they were not idle elsewhere. As a proof of this, in the last year, 1000 midshipmen, without favour or partiality, had been promoted to the rank of lieutenants, according to the length of their service.

Mr. *Forbes* was quite satisfied with this last statement. Had he known the fact sooner, he would not have agitated the subject.

The several resolutions were then agreed to.

COMMITTEE OF WAYS AND MEANS.]

The House having resolved itself into a Committee of Ways and Means,

The *Chancellor of the Exchequer* observed, that in the present thin appearance of the House, it was not his intention to enter into any lengthened statement; he should confine himself to the bare mention of the nature of the different propositions to which he should call upon them to assent. It was his intention, in the first place, to move the ordinary annual taxes, and next, in order to defray the expenditure voted in the committee of supply, to move an issue of eleven millions of exchequer bills. There were two others sums of four millions and a half, and one million and a half, but he should reserve them for a future consideration. He should merely hint, that it had been usual to make part of the grant of one year applicable to the expenses of the next. The right hon. gentleman then moved, first, the ordinary war taxes on malt, &c.; next, the ordinary annual taxes on pensions, offices, &c.; and lastly, the issue of eleven millions of exchequer bills; —all these resolutions were agreed to, and the House resumed.

COMMITTEE TO PROVIDE ACCOMMODATION FOR COURT OF CHANCERY.] The *Chancellor of the Exchequer* rose to make his proposed motion for providing accommodation for the vice-chancellor. It was, he apprehended, merely necessary to state the inconvenience to which the vice-chancellor was at present subject, to induce the House to agree to his motion. He would not dwell on the indecorum of the first law officer in the kingdom having no accommodation for the transaction of business except what was gratuitously allowed him, for it was well known that he sat merely by permission in Lincoln's-Inn; but he must call to the consideration of the House, that the vice-chancellor had no place for business, except a room so small as to be injurious to the health of those who practised in it. He should not propose any particular mode of accommodating this law officer, nor should he point out any fund to be applied to that purpose, but he should move generally, "That a select committee be appointed, to consider of the means of affording accommodation for transacting the business of the court of chancery."

Sir *Samuel Romilly* objected to the motion, because he conceived any accommodation of the kind contemplated to be unnecessary, unless the office of vice-chancellor was to be a permanent one; and against its permanency he must strongly protest on the same grounds on which he had formerly protested against its institution. The office had turned out to be productive of greater inconveniences than he had himself expected; and as to any assistance to the chancellor, he could say, that not one original cause had been tried in the minor court. As to the indecorum of having no place of sitting except one that was lent, it was an indecorum to which the greatest chancellors—lords Hardwicke, Camden, and Thurlow, had submitted without any diminution of the dignity of their characters.

Lord *Castlereagh* insisted that the office had at least been beneficial in one respect, as it had allowed the chancellor sitting in the court of supreme resort to decide a great many more appeals than he had done in former years. For the three years preceding the appointment of the new office, the average number of appeals tried was 24; for the three years since the appointment, the average was 65. And though it might be true, that no original causes had been settled by the vice-chancellor, yet he had disposed of a vast deal of business which must otherwise have occupied the time of the chancellor. In the three years he had disposed of no less than 17,000 different proceedings. Upon the whole, he could not but consider an office useful which tended, in even the smallest degree, to prevent delay in the administration of justice; and of the delay of the chancery court some idea might be formed, when he assured the House that the balances now lying undisposed of in that court amounted to 30 millions.

Sir *Samuel Romilly* fully allowed the extent of the evil of delay.

Mr. Courtenay, Mr. Wrottesley, and Mr. Wetherall argued, that it was agreed on all hands that some assistant to the chancellor was necessary for the dispatch of business, and that assistant, whatever he was, ought to have a room for the transaction of his business.

The motion was then agreed to, and a committeee was appointed.

HOUSE OF COMMONS.

Thursday, February 15.

PETITION FROM THE CORPORATION OF LONDON RESPECTING TITHES.] The sheriffs of London presented at the bar, a petition from the Lord Mayor, Aldermen, and Commons, of the city of London, in common council assembled, setting forth,

"That an act was passed in the 37th year of king Henry 8, intituled, 'an act for tithes in London;' and that the said act directed that the decree to be made in consequence thereof should, within a certain period, be inrolled in the high court of chancery, and should remain and be as an act of parliament, and should bind as well all citizens and inhabitants of the said city and liberties for the time being, as the parsons, vicars, and curates of the parishes within the said city, and their successors for ever, according to the effect, purport, and intent of the said order and decree so to be made and enrolled; and that the petitioners have caused diligent search to be made for the enrolment of the said decree in the records of rolls chapel, but no such decree can there be found, and, upon inspecting the original of the said act of parliament in the office of the clerk of the parliaments, it does not appear that any such decree is either annexed thereto, or to be found amongst the records in the said office; the petitioners have, however, found that a decree made under the authority of the said act was registered in the bishop of London's registry on the 25th of February 1545, by which decree the yearly sum of sixteen pence was directed to be paid for every ten shillings rent of all houses, shops, warehouses, cellars, and stables, within the said city, and the sum of two shillings and nine pence for every twenty shillings rent of such houses, and other buildings; and that, by an act passed in the 22nd and 23d years of king Charles 2, intituled, "an act for the better settlement of the maintenance of the parsons, vicars, and curates in the parishes of the city of London burnt by the late dreadful fire there," it was recited that the tithes in the said city were levied and paid with great inequality, and it was thereby enacted that a yearly sum of money, in lieu of tithes, should be levied on the inhabitants of certain parishes in the said city destroyed by the said fire; and that the annual sums directed by the last-mentioned act to be paid to the several parsons, vicars, and curates of the said parishes, in lieu of tithes, were, from the best information the petitioners are able to obtain, very far below what they would have amounted to if they had been calculated according to the provisions of the first-mentioned act, or what would have been payable if the last-mentioned act had not been made; and that the petitioners, in consequence of applications made to them by the inhabitants of several of the parishes of the city of London not destroyed by fire in 1666, and who are not included in the act of king Charles 2, caused an investigation of the tithes payable in the said parishes to be made by a committee of common council, from whose report the petitioners are convinced that the said tithes are levied with great inequality; and that, by the prosecution of the claims of the clergy, with a view to their increase to the extent specified in the said decree, numbers of the citizens and inhabitants of the said city (many of whom are tenants of the estates of the petitioners in the said parishes) have been harassed and oppressed by vexatious and expensive law-suits; and that the petitioners, anxious to put an end to a system that appeared pregnant with dangers to our national establishment, and likely to engender discord and animosity, endeavoured to open a negociation with the several persons interested in the tithes of the said several parishes, with a view to an amicable arrangement upon liberal terms, but which has been constantly evaded or rejected; and praying the House to take the premises into their serious consideration, and grant such just and equitable relief as the nature and circumstances of the case shall appear to the House to require."

Ordered to be referred to a committee.

PETITION FROM LONDON RESPECTING AUCTION ROOMS.] The sheriffs also presented a Petition from the corporation of London, setting forth,

"That frauds and deceptions are carried on to a considerable extent by means of numerous auction rooms for the sale of manufactured goods in small lots, in various parts of the metropolis, and most of the provincial towns, to the great injury of the manufacturer, the fair trader, and the public in general; and that they have long become an intolerable public nuisance, not only by the number of persons collected together, and the cheats and deceptions there practised, but by the powerful inducements they hold out to swindling, to unprincipled persons to obtain goods upon credit to defraud their creditors, and to servants to rob their employers, as well also as by the frauds committed upon the public revenue; and that they tend to encourage the manufacture of inferior and disreputable articles, to the great injury of the manufactures and commerce of the country, and which will now prove still more injurious, when we shall have to contend against the rival manufactures of other nations; and that, while the persons vending at these sales elude that responsibility, as well as various taxes, which attach to the regular trader, disreputable articles are not only vended with impunity, but, as the petitioners are well informed, the auction duty is to a great extent evaded; and that memorials have been presented to the lords commissioners of his majesty's treasury, and petitions to the House, but no remedy has yet been obtained for these grievances; and that a bill was brought into the House in the year 1814, with the concurrence of the chancellor of the exchequer, but afterwards withdrawn on account of some informality, but, for causes unknown to the petitioners, the same was not again introduced; and praying the House to take these serious grievances into consideration, and grant such relief in the premises as to them shall seem meet."

Ordered to lie upon the table.

MONEY PAID BY FRANCE TO THIS COUNTRY.] Sir *James Mackintosh* said, that in consequence of the claim which had been set up by the chancellor of the exchequer on the part of the Crown, to the right of disposing of the money which had been, or was to be, paid by the government of France to this country, he thought it his duty to bring the subject before the House. He should bring on the question, certainly not as a mere theoretical point of law, but as a question of constitutional practice, and he should at once have named the day, if he had not wished to wait a reasonable time to enable ministers to take such steps as might render the discussion unnecessary. He should state what he considered would be such an acknowledgment as would be sufficient: it was not the forbearing to urge the claim in words, nor the appropriating merely the money to the public service, because the form in which that money was applied would constitute the acknowledgment of the right of parliament. The money received should be placed at the previous disposal, as well as being subject to the consequent control of parliament; and the same rules should be observed as to the issue of it, as to any other public money. He conceived he should betray his trust as a representative of the British nation in parliament, if he were satisfied with any other recantation of the claim which had been set up. The hon. gentleman said he should not at present fix any day for his motion.

ADDRESS FOR ACCOUNTS OF PEACE ESTABLISHMENTS.] On the motion of lord Milton, it was ordered, "That there be laid before this House, a return of the expense and numerical amount of the peace establishments, military and naval, for the years 1714, 1730, 1749, and 1764." It was also resolved, "That an humble address be presented to the Prince Regent, that he will be graciously pleased to give directions that there be laid before this House, the best accounts that can be formed for showing the average numbers and expense of the military and naval establishments maintained by this country in the several periods of peace from the treaty of Utrecht to the commencement of the American war."

IMPROVEMENTS IN PALL MALL OPPOSITE CARLTON HOUSE.] Mr. *Baring* rose to move for accounts, to which, he apprehended, no objection would be given; he meant, a return of all sums of money expended, and contracted to be expended for the improvement of Pall-Mall, opposite Carlton-house.

Mr. *Huskisson* said, so far was he from objecting to give information upon this subject, that he felt much indebted to the hon. gentleman for affording him an opportunity to state that which, he trusted, would put an end to some misconceptions which had gone abroad upon this subject. With respect to information as to the money expended in the improvements opposite Carlton-house, it was impossible for him to give any, as the public office with which he was connected had nothing to do with that expenditure. He was aware that some alterations had taken place in the buildings opposite Carlton-house, from which, he apprehended, the misconception to which he alluded had arisen. These, however, were wholly attributable to the caprice of private individuals, and were in no respect connected with the general execution of the plan of the new street. He could assure the hon. gentleman, that the New-street act had been observed by the commissioners appointed to superintend its execution to the very letter, no deviation whatever having been made from the original plan. All they had done was to remove some houses in front of Carlton-house, and then let the ground to private individuals, at a ground rent; and he was happy to add, that such rents had been obtained, as fully corresponded with the estimate of the architect employed on the occasion. In the course of a short time it was his intention to bring before the House the triennial report of the land revenue of the Crown, which was required by act of parliament, and in doing this he should follow the example of his predecessor, although not strictly required, by adding a full and accurate detail of all the improvements and alterations which had taken place, either in the New-street, Mary-le-bone Park, or in his majesty's woods and forests. There was no wish, in fact, to keep back any information on this subject.

Mr. *Baring*, considering this explanation satisfactory, with the leave of the House, withdrew his motion.

Mr. *Tierney* wished to be informed, whether the report intended to be presented by the hon. gentleman would contain an account of the distribution of the sums of money received for crown land?

Mr. *Huskisson* answered that the report would contain an account of every farthing received or disbursed, either in the New-street, Mary-le-bone Park, or his Majesty's woods and forests.

The motion was then withdrawn.

THE EARL OF ELGIN'S PETITION.] A Petition from the earl of Elgin was offered to be presented to the House by the Chancellor of the Exchequer, who acquainted the House, that his royal highness the Prince Regent having been informed of the contents of the said petition, recommended it to the consideration of the House. Then the said Petition was brought up and read; setting forth,

"That at the period of the petitioner's appointment to the embassy to Turkey in the year 1799, several eminent artists and patrons of the fine arts, lamenting that, from the prejudices of the Turks, any remains which might still exist of ancient sculpture and architecture in Greece, were inaccessible, and exposed continually to destruction, directed his attention in an especial manner to the benefit of rescuing from danger, and securing accurate information of those remains; and that, having on these suggestions provided the best assistants Rome could afford, and being thereby, and by the employment of all other necessary means, enabled to avail himself of every favourable opportunity as it arose during and since his embassy, the petitioner now begs leave to transfer to the public what he humbly conceives to be a full attainment of an object of high importance to the progress of the fine arts, namely a complete series of the sculptures which formed the principal ornament of the ancient temples in Athens, specimens of their most characteristic architecture, as well as drawings, casts, vases, medals and inscriptions, from Athens, and other parts of Greece; and that, as the circumstances attending his endeavours in the attainment of this object bear no resemblance to those under which any other collection was ever presented to the public, and as it is presumed that the series of sculpture in itself has no parallel in objects ever before purchased, the petitioner hopes to be pardoned for soliciting that the House would institute an inquiry, upon such evidence as may be procured, into the merits and value of what he now offers and take into its consideration how far and upon what conditions it may be advisable that the property of the said collection should be transferred to the public."

Ordered to lie upon the table.

MOTION RELATING TO SPAIN.] The order of the day being read,

Mr. *Brougham* rose, pursuant to the notice he had given, to offer to the attention of the House a subject which he held it bound to take into its most serious consideration, by every principle of honour, justice, and strict political prudence;—he meant that political prudence, which, taking an enlarged view of our best interests, was alone worthy to govern the conduct of a great nation. He was sure, that in opening this question he should be spared the disagreeable necessity of calling on the House to follow him through any great length of detail, as that which he had to mention was too notorious, and had already operated too strongly on their feelings, to demand that he should press it much on them now. It would be necessary that he should endeavour, before he proceeded further, to correct some misrepresentations which had gone abroad, and which had had some effect on the minds of those whom he most respected, as he had learnt from a conversation which had taken place on the preceding evening in that House, to which an hon. friend of his who sat near him, had been a party. He was anxious to do this, that the principles on which he had taken up the question should not be misunderstood. However much the attention of Europe might be attracted to the present exalted situation of this country which to them might be an object of admiration, of envy and alarm—to whatever circumstances they might ascribe its present power, he held the advantage we now enjoyed to be more, much more, owing to our land having been made the rallying point of all good principles, to which all good men, suffering in a good cause, were led to fly for relief—to its having been made a place of refuge to which all who were oppressed might look for assistance, and not look in vain. To these things he ascribed our present greatness, more than to any thing else which his imagination or memory could suggest. Though some might ascribe it to the diplomatic talents of the noble lord opposite, and others trace it to the more unquestionable merits of our army and navy, yet he, though not denying, and God knows not undervaluing their services, was disposed to trace to still higher sources our present advantageous situation—to our free constitution to our free parliament, and to our free press. It was from the possession of these advantages that the truth could always be disseminated in this country. Our free press conveyed it to an inquiring and consequently to an enlightened people, and our free parliament (free at least in its discussions), co-operated in the same labour. It was from these great advantages that he believed our high situation to be derived. That situation, however, it ought to be borne in mind, might be placed in jeopardy, by precipitate and ill timed interference with the affairs of other nations; and it would be no less in danger, if we universally abstained from interference, where this was demanded of us on principles of gratitude, justice and duty. But the most scandalous way in which our exalted situation might be lost was, by a wayward and capricious exercise of our interference, by using it at one time in behalf of a family with whom we were not necessarily connected, and by refusing it at another to those who had been cordially united with us, to establish that very power, the abuse of which subjected them to oppression. If there was one way of losing the high character we had gained more degrading than any other, it was unquestionably this. It was on this principle alone that he now came forward, and doing this, he was anxious to state, that he did not sacrifice one tittle of that opinion which he had formerly delivered on the injustice of interfering in certain cases with other nations, where this course had been decided upon by the English government. As strongly as he had ever done, he protested against our right to interfere with another nation, by dictating to it the form of government which it should adopt, or by imposing on a great people any king or family that it might be our wish to see reign over them. While he maintained his former opinions on these subjects, he would contend that a right to interfere might spring from other circumstances and it was on this principle that he should that night submit his motion to the House.

It could scarcely be necessary for him to remind those who heard him of the argument formerly held, when it was resolved by ministers to interfere with France. It was then asserted that we had no right to interfere with that nation, because she chose to be governed as a republic; that on this account we were not bound to interfere in behalf of those who had never been our allies; that this furnished no ground for the recall of our ambassador from France; or for breaking the peace which then subsisted between the two countries. These principles, at the commencement of the French revolution had been maintained on that side of the House from which he spoke, and these principles he still held sacred. So far was he from deviating from them, when he contended that the interference of this country with respect to Spain was now called for, that the opinion of that great man, now no more (Mr. Fox), guided him on this occasion, and the substance of his present motion was drawn from the words which Mr. Fox had used when he last spoke in that House of the interference of this country in the affairs of France. The House would perceive that he referred to a conversation which had taken place about the end of December, 1792. Previous to this, in consequence of the conduct of the revolutionary government towards the royal family of France, lord Gower, our ambassador, had been recalled. A difference arose between the two countries, and the king's ministers declared France had no longer a government capable of maintaining the relations of peace and amity. Those who sat on the opposition side of the House at that time, contended, that whatever might be the faults of the French government, as it was then the government *de facto*, it ought not to have been treated in this manner. But when the proceedings of those persons who were members of it became so atrocious as to shock those who had at first been disposed to think favourably of them —when, having got the person of the king and others of the royal family into their possession, the catastrophe which ensued was but too distinctly foreseen; and no doubt was entertained of their intentions to sacrifice them—then, all men whose minds deserved any consideration, were shocked at the lengths to which the revolutionists were going, and the opponents of ministers were unanimous in their exertions to stop the evil which they all deplored. It was then that Mr. Fox had come down to the House with his friends, and vindicated the course which he had thought it his duty to pursue; he denied the propriety of lord Gower's recall, or rather he questioned the necessity of it, but he strongly expressed those feelings of horror and indignation with which the conduct of the revolutionists had inspired him. He, on that occasion, argued, that the recall of our ambassador, no one having been appointed in his place as an accredited minister from this country, must prove fatal to the cause of the royal family of France. If we had kept our ambassador, he contended, it would have been in our power to interpose our good offices in behalf of the unfortunate monarch, and have given weight to the declarations of England, which might have produced a strong feeling among the people, and which would probably even have had some effect on the convention. In this spirit, Mr. Fox proposed that a motion should be made, the object of which was to afford the House an opportunity of expressing those feelings of indignation and sorrow which necessarily grew out of the events which had recently occurred. This, it was hoped, might operate in favour of the royal family, and deter the persecutors from the consummation of their guilt. A motion for this purpose was made by Mr. Pitt, on the recommendation of Mr. Fox, for the correspondence which had taken place on the subject of the recall of lord Gower. This gave all those who felt as Mr. Fox did, an opportunity of expressing their sentiments, and that right hon. gentleman expressed a hope that the debate would have a salutary effect; though he did not calculate on its proving the salvation of the Bourbons, yet he expected it would do some good. He however still felt, that an accredited agent from this country was wanting in France, to give force to the representations of this country, and to throw its whole weight into the scale with effect.

He should not have gone so far into the history of these proceedings, but for what had occurred on a former night. Having gone so far, it might now be necessary for him to go still farther, to compare the circumstances of the interference which had been determined on then, with those under which a similar interference was called for now. Those for whom he now wished this country to interest itself were suffering patriots and our allies. They were now oppressed, for having struggled against the former oppressors of their country. The king, the queen, and the royal family of France, though in a deplorable state—a state which might well call forth sympathy—were still, unlike the Spanish patriots, wholly unconnected with this country. They had no claim on us from any bond of union which had subsisted between the two parties. Having been led to speak of precedents, he would adduce one or two more, that would bear equally on the case in point. He would not go back to the period when queen Elizabeth interfered in behalf of the protestants in the Low Countries, nor would he dwell on the steps which were afterwards taken on the part of this country, to procure some amelioration of the situation of the Huguenots. These, as well as the efforts made by Oliver Cromwell in favour of the persecuted Protestants, must be fresh in the memory of the House, and these would abundantly bear him out in making the motion with which he purposed to conclude. But there was one better than all these—which it was impossible to get over—he alluded to the addresses unanimously voted on the subject of the foreign slave trade some years back. Both Houses had concurred in doing this: and if there was one point more delicate than another to be touched upon in our diploown nation and of England, and fully established, that the fundamental principle by which he was guided was, to break down that constitution which we had raised, and to tear asunder those bonds of friendship that had been knit between the two countries. It was much to be lamented, that though Ferdinand might have meditated, and even digested, this project in the recesses of his own mind, it had not been executed without British assistance; the fact indeed was indisputable, that, but for the aid he received from this country, he never could have carried his plan into execution. What representations, if any, were made by the British minister at Valencia, who gave Ferdinand the countenance of his presence, it was impossible that he (Mr. Brougham) could be informed. If any instructions were sent out from this government to our ambassador, desiring him not to omit every possible remonstrance against the proceedings of the king, the noble lord opposite must be acquainted with them, or at least copies would be found in his office; but he (Mr. B.) would venture to assert, that no such instructions had been given; and he would venture to add, that, had they been given, the House would have been spared the discussion of this painful subject. He was quite confident, that the co-operation on the part of the British envoy at the court of Ferdinand was most reluctantly given; but his appearance there seemed to give the acts of the king the countenance of England, and that countenance alone must have had a powerful influence in enabling Ferdinand to effectuate his purpose. But was this all? The troops dispatched against the cortes, whom we had convened, were actually in British pay, and the vanguard of Elio's army was commanded by a British officer. They were led by general Whittingham, who at that time was a general in the Spanish service, and lieutenant-colonel in the service of England; he was the first to march upon Madrid, and to surround the town with his troops, while the rest of the army, with Ferdinand, advanced in the rear, or rather, with Ferdinand behind the rear of his army. The surrender of the cortes and of the regency was inevitable, and lists were soon put into the hands of the sovereign, by renegadoes from the cause of their country, of those who, having taken the most active part in its welfare, were become more especially the objects of his resentment. In these lists were included two out of five members of the regency, who, together with a number of the cortes, were soon disposed of in various dungeons, and other odious places of confinement. The pay of these soldiers was supplied out of the British treasury; but the co-operation of this country did not end there. By the returns upon the table of the House, it appeared, that more pay and more clothing had been sent out for the troops, to the extent of half a million. At the time they were presented, strong disapprobation was naturally expressed by various members, for he (Mr. B.) had not then the honour of a seat in parliament; and it was said in excuse, that the accounts were not yet closed, and that the supply was only in fulfilment of a previous existing engagement. Did his majesty's ministers mean to state that they had no means of preventing it, and that they were bound to execute such a contract? Had it not been broken on the other side? What was become of the treaty of Valency, which Ferdinand had signed with the bitter enemy of England? Had this country stipulated to pay at all hazards, under all changes, even in the event of the sovereign of Spain becoming the enemy of Great Britain? Was it meant to be said that all contracts were to be reciprocal and mutual, but those which respected the payment of British money? On all other subjects the performance of a treaty by one party depended upon the observance of it by the other; but when it regarded the pecuniary resources of this country, which some persons deemed so redundant, parliament was then told that there was no such thing as reciprocity.

After what had happened, both with respect to the treaty of Valency and the subsequent proceedings of Ferdinand on his return, more especially against the faithful allies of England, the cortes and the regency, the British ministry could not be justified in the disbursement of a single shilling. It was not, however, merely by the unobstructed stream of our money that we had shown our approbation of the conduct of Ferdinand. Soon after the capture of Madrid, general Whittingham was appointed by the king of Spain, a lieutenant-general, superseding all the older generals in the Spanish service. Next he was decorated with a Spanish order, and, in imitation of this liberality, the Prince Regent, under the advice of the noble lord opposite, had promoted general Whittingham to the distinguished station of one of his royal aides-de-camp; thus lifting him over the heads of about 140 senior officers. He begged to be understood as not disputing the services of general Whittingham, which had by no means been confined to the unhappy transaction of the capture of Madrid. He was aware that he had gained great honour in the battles of Barossa and Baylen, and that he had been an active and successful partisan during the greater part of the Spanish campaigns. It was, however, most unfortunate that these achievements should be followed by the last event in which he had been concerned, and that he had thus made himself the tool and satellite of Ferdinand. It was due, however, to this distinguished officer to suppose, that he had not voluntarily become this instrument of oppression; for doubtless he had acted under instructions that left him no choice and no discretion. It was much to be regretted, that he had been selected to execute this plot, and that the rewards heaped upon him should have been conferred subsequent to his enterprise against the liberty and happiness of a nation—thus holding out to the world, that it was not for his services at Baylen or Barossa that he was exalted; not for his long campaigns against the French armies, but for his short and too successful campaigns against the cortes and the regency.

By this simple detail of events in Spain, subsequent to the return of Ferdinand, Mr. Brougham thought he had distinctly shown that the measures of the king of Spain were levelled directly against the policy and interests of Great Britain; and consequently it could not be said, that by his motion he required an interference in matters foreign to our own interests. The projects of Ferdinand were executed by the cruel punishment of those who had fought for his crown, and whose cause we were bound to espouse, not only by good faith, but because we had been the means of exposing them to this unmerited persecution. It was unnecessary to enter into details, since it was well known that twenty-seven members of the cortes and two of the regency, besides many other individuals whose numbers could not be obtained in any parliamentary mode, who had filled high stations in life and had been zealous supporters of the patriotic cause, had become victims of the animosity of Ferdinand. After they had been immersed in dungeons for nineteen or twenty months, a special commission was appointed, composed of persons, not taken from the ordinary tribunals of justice, but selected at the will and pleasure of the sovereign, for the trial and condemnation of the objects of his displeasure. After this irregular court had proceeded to judgment upon the offenders, the king thought fit to review all the sentences: thus declaring to the world, that even the creatures of his own selection had not acted with due subserviency to his wishes. The punishments in general were not sufficiently severe, although some had been condemned to four years solitary confinement, and others to various shorter periods, merely for adhering to the friendship they had professed for England, and for endeavouring in public assemblies to promote the welfare of their country. A poor tradesman, who had made himself obnoxious by his zeal, had received sentence for the severer punishment; and when it reached the ears of the king, "What!" said he, "only four years solitary confinement in a dungeon for a wretch who has made a speech on the popular side at a public meeting?" and instantly he took his pen, struck out the punishment affixed to this poor cripple, for such he was, and condemned him forthwith to be hanged [Hear, hear!].—This was a specimen of the legitimate proceeding of this legitimate monarch; but happily the mob, the very rabble and scum of Madrid, who, deluded by bigotry, and blinded by ignorance, had welcomed the return of Ferdinand, and rejoiced in his measures of cruelty (however unnatural and injurious the alliance between king and mob), rescued the unlucky victim, shocked at the wanton severity of the sentence. Surely no stronger case need be mentioned than that of the unhappy Arguelles—a man of education and accomplishments not to be exceeded, of virtue and patriotism not to be surpassed; who, from early predilection, having spent a portion of his youth in this country, felt a sincere friendship for England, and who, with unequalled eloquence, had advocated the cause of the people of Spain. He had been condemned to a punishment from which death would be a relief. Who, without indignation, could learn, that this finished gentleman, of high rank, and honour, who had voted in the cortes for the abolition of the slave trade and of the inquisition, had been sentenced to serve for life as a common soldier in the garrison of Ceuta—a pestilential dungeon fronting our fortress of Gibraltar?

Did not such relations of horror call

aloud for interposition? And the question really was, whether this was the only case in which the British government ought not to interfere? He had already adverted to several precedents, but particularly to two directly in point, and which occurred at a time when we little mixed ourselves with the affairs of the continent. Now, the British government was in the habit of daily and hourly systematic interference; at the moment he was speaking, a British army was quartered in France, not to support a nation our ally—not to guard our peculiar interests—but for the purpose, as had been avowed by the noble lord himself, of maintaining on the throne a particular individual. To what extent our intermeddling spirit in that instance had been carried was well known, and if he were to assert that the whole police of France was under the control of the duke of Wellington, it would scarcely be an exaggeration; but, before his army quitted Paris, that the police of that capital was subject to his authority, no man could deny. Dispatches were daily received from thence, upon which the cabinet was summoned, and events that there occurred excited exactly the same interest among ministers, as if they had taken place in York or in Dublin. The only reason assigned for this interposition was, that a particular branch of the royal family might be kept on the throne, under the pretence that by such means the peace of Europe was secured. In the case he was now arguing, this government was bound by positive treaty to interfere, having, by its own measures, brought a number of persons into predicaments of danger. The only mode of affording them relief was, by exerting the influence this country possessed, and which had been ever effectual in a just and necessary cause. It was almost vain to anticipate objections: but it might be said, that by interference those now suffering might be exposed to capricious and sudden resentment. Such arguments ought not to be taken into consideration, nor in such a case ought allowances to be made for the waywardness of individuals. He intreated the House to weigh well the grounds he had laid for his motion, and the responsibility that belonged to the situation in which this country had placed herself; to recollect that we had ourselves drawn down the vengeance of the sovereign upon his unhappy victims, and that by positive alliance we were bound not to desert their cause. He was anxious as much as possible to avoid offensive allusions, and any expressions that might bear the semblance of a wish to break the amity at present subsisting; but in negociating with the minister of Ferdinand upon this subject, if the weight and influence of the government of this country were found insufficient, he did not say that menaces ought to be employed, for that was not the policy of any government; but other means might be found more prevailing. He did not even wish that Ferdinand should be reminded of the benefits conferred upon his kingdom, for that would suppose that he could feel gratitude; but a powerful motive for concession might be found in appealing to his apprehensions and prudence, of which he did not think him entirely destitute: he wished that the king of Spain should be reminded of what England had done upon former occasions, to the terror of his people, and destruction of his power—how often she had scattered, by a breath, the whole resources of his monarchy—how she had revelled in the spoils of his richest colonies, and trampled with a triumphant foot upon the territories of old Spain, planting her victorious standard upon that impregnable rock within view of the prison of the miserable Arguelles. He might also be put in mind of what she had done in support of his ancestors, the Huguenots, and by her representatives in favour of the negroes. Upon these facts he might be allowed to reflect, and upon a truth, which, from motives of delicacy, he (Mr. Brougham) would convey in the language of one of the old Spanish ministers, "that his majesty had but two enemies—the one the whole world; the other, his own ministers." Whether successful or defeated in the motion with which he should conclude, at least one benefit would result from this discussion—Ferdinand would be reminded that there was yet in the world one corner in which the truth might be fearlessly spoken; in which the oppressed might obtain justice from their oppressors; in which the crimes of princes might be arraigned; and that that corner was the Commons House of parliament of the British empire. Mr. Brougham concluded by moving,

"That an humble address be presented to his royal highness the Prince Regent, entreating his royal highness to take into his gracious consideration the sufferings of the members of the late Spanish regency and cortes, and representing that the alliance at present subsisting between his royal highness and his catholic majesty affords the most favourable opportunity for interposing the good offices of Great Britain, in her behalf, with the weight that belongs to her, and to the sentiments of this House and of the people."

Lord *Castlereagh* rose. He said, he was surprised at the extraordinary and novel nature of the hon. and learned gentleman's motion which had just been read. It did not point out any definite object: it stated no prayer that we should interfere in a forcible manner; and yet, upon the information that the hon. and learned gentleman possessed, no other species of interference could be at all appropriately recommended. If he meant merely that we should interpose our good offices with the government of Spain in behalf of that description of its subjects whose fate he commiserated, it was most extraordinary that he should propose the measure which he had brought forward, without knowing what had been already done, or ascertaining if more could be accomplished. If there had been any reason to suppose that his majesty's government had neglected any means in their power to reconcile the parties that unhappily divided Spain, or if any mode could be pointed out, in the spirit of peace, by which that reconciliation could have been effected, without awakening the national jealousies, or aecting national independence, which had not occurred to them, there might have been some reason for some declaration of this House.

The noble lord said, he regarded the description of policy now proposed to the House as extremely unwise, and calculated to do much mischief, without the chance of producing any substantial benefit to those persons whose cause it professed to espouse. Sometimes individuals of the profession to which the hon. and learned gentleman belonged, injured their clients by an injudicious plea set up in their behalf, with the design of showing their own address, talents, or eloquence. The hon. and learned gentleman was far above any suspicion of this kind, and did not require to display his acknowledged abilities by any such manœuvre; but certainly, it would seem, that on the present occasion, he either had not evinced that acuteness which belonged to him, or was not friendly to the cause he professed to promote. Unless recourse to arms were recommended, unless we were to follow up our remonstrances with actual hostilities, unless we were disposed to go all the length of opposing the sovereign of Spain in the government of his own dominions he never heard a speech more calculated to defeat its object. There never was a speech delivered in parliament more calculated to excite jealousy, more full of the materials of antipathy and inflammation, and, if there ever was any hope entertained that we could materially influence the sovereign of Spain, so as to induce him to entertain friendly sentiments towards the subjects with whom he was offended, more adapted to destroy it. Without possessing any documents on which to found his charge, without any correct information on the subject, the hon. and learned gentleman permitted himself to indulge in the most severe and general invectives against the monarch with whom we were in alliance—and with whom we were to use our good offices. He imputed to him the blackest treachery, the most deceitful policy, and the most hostile feelings, towards this country. He stated, that he signed the treaty of Valency from his own choice, without any compulsion on the part of Buonaparté; and that he not only agreed to its stipulations when in captivity, but came into Spain to carry them into execution. The charge made against him was, that he accepted of English assistance, in order that he might be enabled to act against us, his friends and allies. Surely, nothing could be more calculated than assertions and accusations like these to commit the governments of the two countries, and to lead to open hostilities, rather than to produce such reciprocal sentiments of good will as would give a friendly recommendation its proper force and influence. The hon. and learned gentleman, he was persuaded, did not mean to recommend war, but the course he had pursued was the very opposite to any thing conciliatory.

As the hon. and learned gentleman had entered largely into the subject of interference with foreign governments, he would trouble the House with a few observations on the proper kind of interference which the nation might exert, and which, in his opinion, might be justified. The hon. and learned gentleman had adverted to the influence which we, by the freedom of our discussions in parliament, and the unrestrained liberty of the press, exerted over the public opinion of Europe, and he admitted that nothing could be more beneficial to its various states than such influence. Nothing could contribute more to the welfare of Europe—nothing could dispense with more effect sound principles of justice, of moral policy, and of humanity—nothing could aid the cause of good government, toleration, and liberty, more than the deliberations of a British parliament. But we might deprive ourselves of the glory and the satisfaction of promoting the progress of good principles, and those, to whom they might extend, of the advantage they might derive from them, by an injudicious use of our influence. If we intermeddled in the affairs of other states without sufficient reason—if we assumed a power of deciding upon the measures that it was proper for them in all cases to pursue—if we inveighed against any deviation that we disapproved—or if we endeavoured to direct their domestic policy, and interposed between a sovereign and his subjects upon the ground of mal-administration—if we acted in this manner, the parliament of Great Britain would be no longer instrumental in communicating a right tone of thinking and feeling to the world. While he allowed that we might thus destroy, to a certain extent, our great character—that the confidence reposed in us might be withdrawn by the doctrines delivered, and the measures recommended in this House, he was at the same time, sensible that much latitude of discussion was necessary, in order that the full benefits of it might be enjoyed: and he would say to foreigners, that they must take us with our failings as well as our merits. He could not, however, disguise the fact, and he would consider himself as betraying his duty, if he did not declare in that assembly, that there had occurred instances of interference which had a tendency to deprive this country of all the advantages of its influence on the continent. He did not allude to any particular instances of recent date; but those who had been lately upon the continent, must have perceived, that there was a general disposition to impute to us an overbearing pride, an unwarrantable arrogance, and a haughty dictation in political matters, which, he was afraid, were imputed to us upon too good grounds, and which discussions like those of that night must aggravate. If we proceeded in such a manner as to justify these charges, the nations of the continent, on whom we had conferred so many benefits—with whom our character at present stood so high—would withdraw from us their confidence, their respect, and gratitude. Neither their pride, their honour, nor their feelings, could endure such conduct with regard to them.

The noble lord, after making some further observations on this subject, entered upon an examination of the precedents which the hon. and learned gentleman had adduced in support of the interference recommended in his proposed address. Adverting to the state of France in 1792, and the vote of the House of Commons that had been alluded to, he gave it as his opinion, that the residence of our ambassador would not have prevented the calamity that had happened. The national convention was proceeding with such violence, with such a disregard of every principle of moderation and justice, that no recommendation from us could have benefitted the unfortunate monarch in whose behalf it might have been made. This he was willing to admit; nor would he push the argument so far as to say that our interference was actually injurious. But it seemed a very illogical inference, that because our interference failed in that instance, it must be successful in another. He again repeated, that the furious anarchists who then afflicted France might, without our interference, have proceeded to embrue their hands in the blood of their sovereign; but it surely was an unfavourable precedent to be adduced on the present occasion. The unfortunate royal family of France was sacrificed, notwithstanding our recommendations; and therefore we ought now to pursue a similar policy. The precedents which had been obtained from that part of our history which recorded our interference to support the Protestants of the Low Countries, and the Huguenots of France, were equally inapplicable. In supporting them against their persecutors, we were maintaining truly British interests. Our policy was guided by the conviction, that our own security, and liberties, and religion, dependent upon the union we formed with our Protestant allies, and not by any views of regulating the conduct of a government towards its subjects, where our own interests were not concerned. It was well known to all who were conversant with the history of these times, that the two systems of religion were then committed against each other, and that a regard to their maintenance or diffusion often guided the alliances and the counsels of states. This country then believed, that its prosperity, if not its existence, depended upon the support of Protestant interests in Europe, and that if the Protestants of the Netherlands and France were overpowered by the Catholics, we ourselves could not expect to enjoy securely our civil and religious rights. As the Catholics exerted themselves against us, without any regard to our national independence, our interference grew out of an interference on their part which justified it. It grew out of the interference of the see of Rome; it was exerted to repel the most persevering aggressions of an implacable enemy. It was not thus a moral interposition upon general grounds; it was not an attempt to enforce our rules of right, or ideas of good government and toleration on sovereign states for their behoof; but for the legitimate purpose of warding off the dangers that threatened us, by assisting those from whom we expected assistance. The rule and maxims derived from the history of those times could not be applied to the present period. There was now nothing like a religious war; there now appeared nothing like the deadly animosities that arose from conflicting creeds. In the present state of Europe there appeared no designs to persecute, or to form hostile plans for giving ascendancy to one system over another. There never was a time when religious animosities reigned less in the councils of states; there never was a time when they were less embattled against each other than at the Congress of Vienna. There could be nothing more detrimental to the improvement, the liberties, and the happiness of mankind, than the renewal of the struggles between catholicism and protestantism which was lately attempted. There might have been reason to deplore the injudicious interference of some persons in this country, as there was a risk that those religious feelings, unfortunately alive in this country, might have caught fire. Nothing could be more unfounded than the statements upon which that interference was commenced and persisted in. The individuals in this country, who thought it necessary to offer assistance to their Protestant brethren in France, were led to propagate the most unfounded reports of the spirit that animated the government of that kingdom. They imputed to the mildest and most benevolent of sovereigns the most intolerant principles, and the most atrocious maxims of persecution. They imputed to him a design of recalling the edict of toleration, and of suppressing by the most cruel measures the Protestant creed. Nothing could be more untrue, than that either the government encouraged persecution, or that it was widely spread. In the south of France there were feelings of political animosity, combined with religious differences existing, which led to some tumultuary and unjustifiable acts. The French government never abetted such proceedings. The disease of the public mind, the political and religious exasperation which reached this country in such exaggerated statements, had placed the people of these districts in opposition to each other for more than twenty-two years, and its origin had, of course, no connexion with recent changes. The Protestants here, who watched over the interests of their foreign brethren, were not contented with finding persecution in one place, but acted as if they expected it over all France. They addressed their letters to all the districts, where, although credit was given them for their benevolent intentions, they were repudiated with expressions of displeasure and contradictions of the alleged facts upon which they proceeded. Even in the disturbed districts, the people regarded the interference of strangers as a calamity. He again repeated the fact, that the disturbances were confined to one quarter. In the other parts of the kingdom there was no respect paid to religious distinctions in civil transactions, or in the common intercourse of life. Protestant and Catholic met together in the same courts of justice; they appeared in the same ranks of the army together, without any consideration of their different systems of worship; and there perhaps was no country where, both by the people and the government, there was less indulgence of intolerant principles. They were therefore surprised, and felt indignant, that this country should suppose them divided, and insist upon lending them aid against their fellow citizens. They were satisfied with their government, and at peace with their countrymen, and deprecated nothing so much as foreign interference.

Another precedent in support of his present motion the hon. and learned gentleman drew from our proceedings with regard to the slave trade. The noble lord declared, that he thought this even less applicable than any of the former examples. The abolition of the slave trade was a great moral question that interested all nations, and in which the universal principles of humanity and justice were involved. It had no reference to the internal arrangement of a particular state;

it was a matter of general policy, which might be discussed and arranged with all. But even in this we did not interfere with Spain; for surely, to discuss with her the policy of a particular measure, and to propose conditions, or enter into stipulations for carrying such a measure into execution, manifested no interference with her internal regulations, with her administration of justice, or her conduct towards her own subjects. The precedents quoted by the hon. and learned gentleman, he thus thought, would not bear him out in the proposed address; but he was willing to allow, that if any thing could be done by friendly recommendation to the Spanish government, to appease the violence of parties, any thing to procure the object which the hon. and learned gentleman professed a desire to attain, without in the least attacking the independence of an allied state, there would have been no disposition on the part of the government to refuse their concurrence to effect it. He would not push matters too far. He agreed with the hon. and learned gentleman, that whatever might have been done by those whom he regarded as the English cortes, if we could by amicable means reconcile them to their existing government, and procure them release from their unfortunate situation, we might be disposed to exert ourselves in their behalf. But we could not take part with them against their sovereign; we could not dictate to him how he was to treat his subjects.

The noble lord said, he could not but complain that the hon. and learned gentleman had proceeded to such allegations against government, without inquiring into the truth of them. His Majesty's ministers had never ceased to attend to the interest and the fate of the individuals whom his motion concerned, and he might say, that much could be done by an ally, in amicable communication and friendly remonstrance, that could not be accomplished by agreeing to the present address. He would acknowledge, that whatever difference of opinion might prevail between the government and the cortes, while that body exercised the legislative functions in Spain, that difference had not prevented his majesty's ministers from recommending them to the indulgence of their sovereign. It had been our object, as much as possible, to save one party from the rage of the other: and he could assure the hon. and learned gentleman, that if it were thought expedient to produce all communications that passed on the subject between the government of Great Britain and that of Spain, he would see that no negligence could be attributed to the former. He might claim some belief to his word when he said that, upon his honour, he was convinced our government had rather gone beyond than fallen short of the line of their duty in its zeal to serve the body of men so often alluded to. But when he declared that his majesty's ministers had acted in this manner, he must disclaim all the necessity which the hon. and learned gentleman would wish to impose upon them so to act. It was a little too much to hear from the hon. and learned gentleman, that the counsels of this country were identified with those of Spain, and that we were responsible for every thing that was done by them in the Peninsular war. It was a mistake to suppose that they were guided by us, and that we should rescue the members of the cortes, because whatever they did was done by our direction or at our command. The hon. and learned gentleman had appealed to the correspondence of the marquis Wellesley, to show that the cortes were our institution; and that the Spanish authorities having acted under our control, should receive our protection. Nothing could be more unfortunate for the hon. and learned gentleman's argument than such a reference. The noble lord said, he was willing to allow that nobleman all credit for the ability he displayed in his proceedings in Spain; but so it happened, in opposition to the allegations of the hon. and learned gentleman, that the noble marquis never could bring the Spanish authorities to cooperate with the British. In 1809, when lord Wellington was in Estremadura, such a co-operation would have been of immense consequence to the common cause, but it could not be brought about. He allowed that the party called Liberales were an Anti-French party; that they magnanimously resolved to oppose the invaders of their country; that they persevered in their noble and heroic efforts, amid difficulties and dangers which would have appalled less exalted patriotism, and amid sacrifices which none but those actuated by the most generous principles could have made. As being an Anti-French party, they might be called a British party; in no other sense could that title be conferred upon them. If they were to be an English party in any other sense, or if the term was to be used which the hon. and learned gentleman had done of the English cortes, he protested against it. He could not state a better proof of the inapplicability of this name, than their opposition to our views in a most important period of the war. At the time when the duke of Wellington was about to entrench his army behind the lines of Torres Vedras, that great officer had thought that he would be wanting in his duty, if he did not, before having recourse to this position, endeavour to fix himself in some point within the Spanish frontier. For this purpose, the point which he chose was Cadiz, and through the cortes he was refused admission to it. This single instance from among many, was enough to disprove what the hon. and learned gentleman had said as to the influence of British councils in the cortes of Seville.

As to the conduct of the Spanish monarch towards the cortes, the hon. and learned gentleman's view was contrary to the whole history of that kingdom, when he supposed that the crown had never so far trenched upon the power of the cortes. The transactions in Spain afforded a memorable lesson to those who wished to correct partial imperfections, by the total subversion of an established system; the cortes thought that they would best effect their purpose by overturning the entire ancient system of the kingdom, and especially by merging the whole class of the nobility and clergy in the third estate according to the example of the jacobins of France. It was to this that most of the calamities of Spain were to be attributed. At the same time he concurred with the hon. and learned gentleman in thinking, that there were many illustrious members of the cortes who formed exceptions to the general character of that body; and that there was no man more sensible of the false steps taken by them, than the distinguished individual whom the hon. and learned gentleman had mentioned. The extremes to which the cortes had proceeded naturally caused a very violent re-action, and the consequence of the great swing which the Spanish government had taken in the direction of jacobinism under their management, was, that now, under its sovereign, it had taken as violent a swing in the direction of despotism. It might be supposed that during the government of the cortes, whom the hon. and learned gentleman had described as so implicitly under British influence, none of those enormities had taken place in Spain which were now so much reprobated. But the very contrary was the case. Many of the enormities which had lately been perpetrated must be attributed to what was done by the cortes, and the prevalence of that party among them called the Liberales, who, though in a military point of view, an Anti-French party, were politically a French party of the very worst description. They had declared that they would not admit Ferdinand's right to the throne, unless he put his seal to the principles which they laid down, and amongst the rest, to that of the sovereignty being in the people. The Liberales were a perfectly jacobinical party in point of principle. He had no wish to recriminate on the hon. and learned gentleman; but really it was something very new, to hear from the other side of the House so much in praise of the cortes, when it was recollected, that from that very quarter it had been the practice to overwhelm them with every opprobrious epithet—with contumely and scorn. Such was the kind of language which the gentlemen on the other side of the House were in the habit of holding towards these very cortes;—all their acts had been scouted at—their efforts for the emancipation of their country had been mocked—they had been called a set of Don Quixotes fighting against wind-mills. These were the tributes of applause and respect which the cortes had been in the habit of receiving from the other side of the House. But when he now was obliged to state the question against the cortes, he wished to estimate fairly the difficulties and faults on all sides; though there certainly was no reason why they should be saddled with all the difficulties to which the proceedings of the cortes had led. Nothing was more glorious and distinguished in the Spanish character than the devotion with which they gave themselves up to their country in the contest for expelling the invader. But then, to describe them as lending themselves to us—to say that Spain had lent herself to us was quite contrary to the fact. Spain denied herself to us; and here was to be seen the difference in this respect between the conduct of Spain and Portugal. The latter gave herself wholly up to us in expelling the French, and the consequence was that she was freed. Spain never had done so, but had contributed to her own liberation by her free spirit.

There was one pregnant fact on this subject to which he would call the attention of the House. Among the cortes existed a determined disposition to withdraw from the duke of Wellington the command of the national troops which had been given to him by a deliberate and solemn act of the state. The consequence of this disposition was, that the matter came to this calamitous issue, that the duke of Wellington was forced, in the very middle of a campaign, to declare, that if the authority which had been solemnly confided to him was not fully continued, he would abandon the command of the Spanish army altogether, and contend with the French with only the British troops. And this cortes represented to be completely influenced by the British government, and emphatically called, by the hon. and learned gentleman the British cortes, resolved to contiuue the command in the duke of Wellington by only the small majority of six votes! He pitied sincerely the misfortunes to which these ill-fated men were now exposed, but truth compelled him to state, that on the question of continuing the duke of Wellington in the command of the Spanish army, the minority who voted against it was composed entirely of Liberales. It was among that part of the Spanish people who were the least enlightened in the principles of the French revolution—it was in the higher orders, the nobility and the clergy, that the British found the most powerful assistance in conducting the war for the expulsion of the French. Ministers had interfered in behalf of those unfortunate individuals to the fullest extent in which they could possibly have been justified; and the system of interference was acted upon up to this day—not merely by representations through our ambassador. Sir Henry Wellesley, knowing how the British government felt upon the subject, had interfered in every possible way; nay, he had gone so far as to deny all pecuniary aid, unless measures of a less rigorous nature were adopted towards the individuals in question, and unless some reasonable expectation was held out to Spain, that the promise which the king had made of giving to the people a free government, should be fulfilled. The hon. and learned gentleman was completely mistaken if he supposed that it was by means of British money that the Spanish monarch had been enabled to proceed to such enormities. So far was this from being the case, that the only sum which had been advanced to him by the British government between the begining of April, 1814 (when he left Valency to return to Spain), and December, was four thousand dollars; and this small sum had been advanced by the authority of our ambassador, to defray the mere table expenses of the king: nay it had been advanced upon the suggestion of one of the Liberales. All pecuniary aid from this country was refused until positive information were given on two points. First as to the measures adopted towards the proscribed individuals; and secondly, as to the promise of a free government, held out in the king's proclamation. As to what had been said of the conduct of one individual, general Whittingham, he thought it impossible that it could be of any importance, as he was placed in such a situation as to be of course obliged to obey his orders. But he would tell the hon. and learned gentleman what the British ambassador had done. The ambassador declared, that the duke of Wellington would never lend himself to any such purpose as that which the Spanish monarch had in view. At the same time, the ambassador repeated his advice to the king, to accept the constitution which had been proposed to him, with all its faults, reserving to himself the power of altering it. The hon. and learned gentleman had described this monarch (before whom he would have the Prince Regent to appear, if not as a suppliant, at least with a menace of war)—as acting all along, from the time that he had entered Spain, upon the treaty of Valency. Yet Ferdinand had all along protested against and disavowed that treaty. If the hon. and learned gentleman meant to say, that Ferdinand had gone into Spain with the deliberate intention of overthrowing the cortes, he would state in contradiction to this, and on the authority of sir Henry Wellesley, that Ferdinand came into Spain with the determined purpose of accepting the constitution; and it was only when he found what the real state of the nation was, and that the constitution would not be congenial to the feelings of the people of Spain, that he had determined not to accept it.

To refer again to the part which the cortes had taken in the liberation of Spain, the maintenance of the particular constitution which they framed—the merging of the nobility in the third estate, and the degradation of the church, had, during the whole contest, been hanging a dead weight upon the nation, and had greatly counteracted all its efforts. When the king returned, and examined the feelings of the nation, he found himself surrounded by the whole impulse of national feeling against the constitution. While this feeling was operating, a great deputation of the cortes waited upon him, praying his majesty not to accept that constitution which the majority of the same cortes had declared it would be a forfeiture of the crown to reject. To give one small instance of the great popularity of Ferdinand, he might state, that on his way to Madrid, his carriage was drawn from Aranjuez (thirty miles) by the people. When the constitution of the cortes was destroyed by him, there was not a murmur in Spain; for, in fact, the people were more attached to some of those peculiarities in their ancient constitution which we thought defects, than the people of this country to the most perfect part of our free constitution. Enough had passed in the world within the last thirty years to prove, that in order to amend defects, the way was not to proceed by overturning the whole fabric. For his own part, he should always regret that the king of Spain had not the means, after his return, of carrying into effect the declaration of the 4th of May, as it contained all the principles of a just and free government. He hoped, however, that it might yet be effected. But if there was any thing calculated to place at an interminable distance the period when this desirable event should take place, it was this country taking the part of any one faction in that nation against the other. We were too much disposed to magnify the evil of the moment. This was not the only period in which there had been similar occurrences in Spain. Even if the authority of the cortes were now to be re-established, he was afraid this would not purge Spain from enormities. Many of the acts of the cortes had been of the most cruel kind—abhorrent to all humanity. Of this he would mention some instances. The two first that occurred to him were the cases of generals Palafox and Abisbal. The latter of these brave officers, because he had written a pamphlet against the cortes, had been by them cast into prison, and afterwards, without any trial, banished for ever from Spain. When the government of Castile remonstrated on this case, the whole were put into custody, and, without any sort of trial, except by five of the cortes appointed by itself, were sentenced to be imprisoned and banished. General Palafox died in a dungeon in Minorca, where he was confined by the cortes. Besides these, the bishop of Orense, than whom there was not a more pure and excellent character, having been a member of the cortes, and refusing to sign the paper in which that body stated the doctrine of the sovereignty of the people, he was immediately displaced from his bishopric, and was forced to take refuge in Portugal to save his life. These were the acts of the cortes, and showed what was the boasted purity in the administration of affairs evinced by this body, who, forsooth, were said to have acted under British influence, and were thus called (surely for the first time) the British cortes! If the British government had not interposed with the government of Spain, he could understand that a lesson of generosity might have been taught by parliament. But if the case had been so, any member in bringing the matter before the House would, he thought, have proceeded differently from the course adopted by the hon. and learned gentleman. When, however, a minister of the Crown stated to parliament that the British government had interfered, and that the four great powers of Europe had instructed their ministers at the court of Spain to interfere, to as great an extent as was consistent with propriety—[Loud cries of Hear, hear! from all sides of the House]—if the House were now to lend itself to such a purpose as that intended by the hon. and learned gentleman, it would only prevent any chance of success.

Considering the motion as an unwarrantable one in point of policy, and seeing that the hon. and learned gentleman had not taken the pains to inquire what had been done; considering, too, that the motion would disqualify government from future interference with success, he conjured the House not to take a false step on this occasion. They were now on the eve of perhaps the most important discussion that had ever been entered on in that House—a discussion involving the general relations of the country with the other powers of Europe. At this moment, therefore, there was nothing more important than to preserve that character and influence which the country had with those other powers. There was a spirit of dignity throughout Europe that would not bear that political lessons should be overbearingly taught by us; they ought to transpire only through the wisdom of our councils. If we began to assume a dictatorial function towards other powers, we should become an object of deserved hatred. The mind of man could not devise a mode of interference more calculated utterly to ruin the unfortunate persons in whose behalf it was intended. On these and on all the grounds he had stated, he never found himself called upon to give a more decided negative to any motion than he did to the present.

Lord *John Russell* expressed his opinion, that this country was in justice and honour bound to interfere in behalf of the Spanish patriots, whose sufferings in a great measure arose from their connexion with, and friendship for this country. In answer to the charge of precipitancy which had been made against the present motion, he should only observe, that many months had elapsed since the patriotic members of the cortes had been visited with such signal vengeance. It was, he remarked, a fact generally understood, that at the present moment, there were in the prisons of Madrid 1,200 victims incarcerated, and 500 in those of Cadiz, suffering, for the most part, in consequence of their patriotism and attachment to us, their former allies. He had heard, for the first time, of the interference of government in the councils of Ferdinand, and he thought that when this interposition was backed by the opinion of parliament, the most salutary consequences would be the result. The duke of Wellington had on one occasion interfered for a meritorious and distinguished individual. He did not indeed require his release from persecution, but demanded his trial according to the laws of Spain; this request was complied with, and the party liberated. If similar applications were repeated, the same beneficial effects would doubtless be the consequence.

Alderman *Christopher Smith*, on the authority of letters, which he had received from the most respectable characters in Spain, expressed his conviction, that the people of this country were quite mistaken as to the state of affairs in that nation. There was not a more popular monarch in Europe, nor one to whom his subjects were more devotedly attached than Ferdinand. The alderman was of opinion, that the noble lord's statement proved that ministers had done all that it was possible to do, and that any attempt to urge them to further interposition must be attended with dangerous consequences.

General *Matthew* declared, that it had not been his intention to address the House on this question, but he could not remain silent after listening to the doctrine of the hon. alderman. To judge by his language, he seemed to think that because ministers had interposed, those who sat on his side of the House ought not to be allowed to make any observations, or to open their mouths at all. But was it not true that Spain was labouring under the most shameful tyranny ever heard of in ancient or modern times? The hon. alderman's doctrine was not his own; he had taken it from the noble lord, now the political leader and idol of the other side; and in one respect he was glad of it, on account of his known sentiments of conciliation towards Ireland. That noble lord had on the first night of the session rebuked his hon. and distinguished friend (Mr. Brougham) for his animadversions on the conduct of that usurper and detestable monster, Ferdinand the seventh. But the noble lord had not been able to stop the mouth of his hon. friend, no, nor the mouths of others. Did they suppose that the noble lord, or any minister among them, could stop the mouth or change the sentiments of any on his side of the House. They might dictate to foreign kings, princes, and emperors, but they should not dictate to them who were free citizens, the representatives of the nation, and who were superior to all their corrupt machinations. That was the only assembly now in the world where kings and princes might learn what was thought of them; and he knew personally, that in every corner of the continent the reports of the proceedings in that House were sought after with the greatest avidity. The noble lord might tell them, if he pleased that enough had been done; but he was happy that the public voice was raised against the iniquitous conduct of that iniquitous monster, Ferdinand of Spain. Would not every man who loved freedom be glad to see him hurled from his ill-gotten and blood-stained throne? Never, he trusted, would this country spill another drop of blood, or spend another shilling in his defence. No, we had been too long duped; we had exalted our renown in arms and in diplomacy by the exertions of the noble lord on the continent; but what were the fruits?

Little better than general bankruptcy and distress, as would be made more manifest on Monday se'nnight, when there was to be a call of the House, though he hoped some indulgence would be shown to his hon. countrymen, of whom many had actually no money to enable them to come over. In England the landlord contrived to obtain one-fourth of his rents, but in Ireland he could get nothing.

Mr. *Bennet* said, from the information he had received respecting the former government and cortes of Spain, he could deny that there was any hostility of the Liberales against this country. There might have been some points on which a difference of opinion prevailed, but there was no general hostility ever manifested on the part of that body. This information he relied on, it having been communicated to him by an officer from that country. Their co-operation with us in the campaign against the common enemy had been so material to the result, that we owed to them a debt of gratitude. He hoped that the House would take into their serious consideration the state of those unfortunate individuals now confined in dungeons, and associated with the lowest of society. The conduct pursued in Spain brought back to our view those times which the good and the enlightened now contemplated with horror. In respect to the interference of his Majesty's government, he hoped it might have done good, but any recommendation on their part was not likely to be strengthened by the orders which had been bestowed upon the Spanish monarch, because those honours might have induced him to suppose that his government would be supported by that of Great Britain. The hon. gentleman was also of opinion, that if interference, like that exercised by the duke of Wellington for his friend, had been resorted to on the behalf of the other sufferers, much amelioration for them might have been procured.

Mr. *Brougham* said, that in reply he should trouble the House with but a very few words. He was ready to admit, that he was taken by surprise in hearing the declaration of the noble lord, that this country had interfered, that his Majesty's government had instructed our minister at the court of Spain, in favour of those unfortunate individuals. How was it possible for him to divine this conduct of the government? The motion he now made had been put off from time to time, and yet the noble lord had preserved a complete silence upon the subject, and it was not likely that he (Mr. Brougham) should imagine, that this silence was intended to signify that steps had been taken to accomplish that which was the object of the present motion. It appeared as if the noble lord had studiously preserved silence upon every occasion when this subject had been mentioned, with a view to entrap the motion before the House, and by surprise to give the information in a triumphant manner. But certainly the noble lord's triumph was greatly diminished, when we called to our recollection the proceedings which had taken place since the 14th of May 1814. Since that period these deputies and members of the regency were still in damp and darksome dungeons. For two months, until the 5th July at least, these miseries still accompanied them. On the 5th July a treaty of alliance had been made with the government of Spain, and although there was interference almost about every thing, yet there was no interference in behalf of these deputies and members of the regency. After this it was, that the garter was sent to decorate king Ferdinand. But down to last December, during a period of twenty months, nothing had been done; for instead of opening the doors of their dungeons and setting these unhappy men at liberty, the monarch of Spain ordered that they should be tried by a special commission, and then being displeased with the decision of these commissioners, he proceeded to try and punish them himself. With all these events before him, the hon. and learned gentleman said he might be excused for supposing that nothing had been done on the part of the government of this country. This was the first time he had been made acquainted with their conduct, and he had no doubt of the instructions given, and the conduct attributed to our minister, sir Henry Wellesley. At the same time, under all these circumstances, he was anxious to know at what period this interference had been made, for if it occurred before December last, it would then be clear that it had not had the desired effect, and he should still persist in the object of his motion. If the endeavour to relieve these sufferers had been made since December, he should be disposed to withdraw his motion, and to wait for the result. He should guide himself by the answer which the noble lord might return.

Mr. *Wellesley Pole* felt called upon to say a few words, in consequence of the declaration which had been made by the hon. and learned gentleman, that the course pursued by government with respect to Spain had been kept secret from parliament till his noble friend had now stated it, and as it were taken the House by surprise. It must be in the recollection of the House, that in the course of the last session, he (Mr. Pole) had more than once distinctly stated, in reply to observations made by an hon. member now no more (Mr. Whitbread), that from the moment sir Henry Wellesley had met the king of Spain at Valencia, he had left nothing untried to persuade him to accept the constitution and to treat the Liberales with mildness, and that the ministers had used every effort to induce the Spanish government to ameliorate the condition of the people. He was, therefore, surprised that the hon. and learned gentleman should have been ignorant of the course pursued; for although he had not a seat in the House last year, yet one would have thought it barely possible that his friends who sat around him should not have informed him of what had passed. The Liberales themselves were conscious that all that was possible had been attempted in their cause, and it was so notorious, both in Spain and in this country, that he was astonished the hon. and learned gentleman should not have informed himself of the fact before he had brought forward his motion. He would add that it was the opinion of sir Henry Wellesley, that the language used in this country, and the attempts made in this House to degrade king Ferdinand, were in a great measure the cause that the case of the Liberales had not been listened to as it would have been had he been left to himself. He also thought that our merchants and residents suffered materially from it. Not a post, said sir Henry Wellesley, arrived in Spain, without bringing papers full of inflammatory and abusive paragraphs against Ferdinand; in consequence of which our merchants and residents were greatly impeded and injured in their concerns. With respect to the motion, the hon. and learned gentleman might dispose of it according to his own pleasure; but he had that night received a lesson—[Cries of Order, order!]. He did not mean the expression in an offensive way, but the information he had received from his noble friend, would show him that he ought to have considered what might have been done, before he made to the House a motion like the present.

Mr. *Brougham* hoped, that the right hon. gentleman would, in future, learn to express himself in words that would convey his real meaning, and not use a language implying sentiments contrary to his intentions. With respect to the lesson he was supposed to have learned, it was this, that his majesty's ministers had spent twenty months in useless interference. The only alteration that knowledge would have occasioned, had he possessed it before, would have been an increase of force in the wording of his motion.

Lord *Castlereagh* could not but repeat, that if the interposition of his majesty's ministers had not been attended with all the success that might have been wished, the intervention of the House, so far from doing good, might only produce ulterior mischief.

Mr. *Tierney* said, that if he thought the course of negociation which ministers were now pursuing was at all likely to produce a beneficial result, he should certainly advise his hon. and learned friend to withdraw his motion; but there appeared to be a disposition to force the House to a division, rather than to give that clear and necessary information which his hon. and learned friend had requested. He begged the House to consider, that the manner in which the Liberales had been treated seemed to have roused the same feelings of indignation in his majesty's ministers as had been expressed by gentlemen on that side of the House. If the government of England, and the three other great powers, had made representations which had not been attended to, then it was not too much to ask the noble lord, whether he did not want some assistance. It might be alleged that any further interference would be extremely improper; but if all the attempts of those great powers had proved entirely useless, then a fifth power, the commons of England, should not be deterred from expressing their opinions.

Lord *Castlereagh* saw that the right hon. gentleman had only risen to extricate his hon. and learned friend from the difficulties into which he had fallen; but he was fully convinced that the right hon. gentleman would greatly embarrass the attempts of ministers by supporting the present motion.

Mr. *Tierney* could not understand what

the noble lord meant by the difficulties of his hon. and learned friend. In his opinion, there had been no reply whatever to the argumentative part of his speech; and, indeed, no person had attempted to answer it, except the worthy alderman. (A laugh.)

The House then divided: Yeas, 42; Noes, 123. Majority against the motion, 81.

List of the Minority.

Birch, Jos.
Byng, G.
Brougham, H.
Caulfield, hon. —
Cochrane, lord
Duncannon, visc.
Ebrington, visc.
Fitzgerald, lord W.
Fergusson, sir R. C.
Fitzroy, lord J.
Grosvenor, hon. gen.
Grenfell, Pascoe
Horner, F.
Heron, sir R.
Howorth, H.
Knox, Thos.
Lambton, J. G.
Langton, Gore
Lyttleton, hon. W.
Milton, visc.
Morland, S. B.
Mackintosh, sir Jas.
Martin, Henry
Martin, John
Madocks, W. A.
Nugent, lord
North, D.
Ossulston, lord
Philips, Geo.
Ponsonby, rt. hn. Geo.
Ponsonby, hon. F. C.
Powlett, hon. W. V.
Rancliffe, lord
Russell, lord G. W.
Russell, lord John
Ramsden, J. C.
Ridley, sir M. W.
Scudamore, R.
Smith, John
Taylor, M. A.
Tierney, rt. hon. G.
Waldegrave, hn. W.

TELLERS.

Matthew, hon. Mon.
Bennet, hon. Hen.

HOUSE OF COMMONS.

Friday, February 16.

COMMITTEE ON ACTS RELATING TO ADVANCES BY THE BANK.] The Chancellor of the Exchequer moved the order of the day, for the House to resolve itself into a committee of the whole House, to consider of the act 48 Geo. 3, c. 3, for empowering the governor and company of the Bank of England to advance the sum of three millions towards the supply for the service of the year 1808; and of the act 55 Geo. 3, c. 16, to continue and amend the said act; and the same being read, he next moved, That the copy of the Resolutions of the Bank upon lord Liverpool and Mr. Vansittart's Letter of 16th January 1816, be referred to the said Committee. On the motion, that the Speaker do leave the chair,

Mr. *Grenfell* wished to call the attention of the chancellor of the exchequer, to the unclaimed dividends remaining in the hands of the bank, which formed a fund which was available by the public in any emergency. In the year 1808 this fund amounted to between 8 and 900,000*l.*, out of which Mr. Perceval applied 500,000*l.* to the public service. Since that period this fund had again gone on increasing, and even in 1814, had amounted to between 7 and 800,000*l.* In the present circumstances, half a million might, without difficulty, be supplied by that fund, which would occasion a saving to the public of 30,000*l.* per annum.

The *Chancellor of the Exchequer* agreed with the hon. gentleman as to the right which the public had to make use of this money, as against the bank; but thought the sum which could with propriety be taken from that source, was not considerable.

The House having resolved itself into a committee,

The *Chancellor of the Exchequer* said, that in giving the committee a general idea of the arrangements which had been agreed on between the government and the bank, he should include in his description, transactions which would give rise to three distinct parliamentary proceedings. The proposals which he had to make to parliament were for the re-payment of the sum of one million and a half, forming part of a sum of three millions which had been advanced by the bank, and of which 1,500,000*l.* had been repaid during the peace of Amiens: the remaining 1,500,000*l.* which it was now proposed to repay, had been continued ever since from year to year: the second was, to continue an advance of three millions, made by the bank to government in the year 1808 during the war, without interest; the third was, to sanction a further advance of six millions, respecting which he should move a vote in the committee of ways and means. He should save the time of the House by opening at once the several resolutions which had arisen out of these different arrangements. The last debate which had taken place respecting these transactions with the bank, had saved much discussion: the House had resolved, that there was no such *primâ facie* ground for disapprobation, as to call for a specific inquiry. The ground on which the House declined this inquiry was, that in 1807 a minute investigation had taken place before a committee of the House as to all the transactions of the public with the bank; and in 1808 an arrangement was made which was equitable and satisfactory to both parties. He had also contended, and the House appeared to be of opinion, that in future the profits of the bank were likely to lessen, both because the deposits had not increased, and in some instances had become less, and the profits on the same capital on the return of peace were smaller. He should now take an opportunity of explaining the communications which had taken place between the treasury and the bank, because a doubt had been expressed whether the conduct of the treasury, in this instance, had not been disrespectful to the House of Commons. It was after a mature consideration of his official duty, that, before he had recourse to the House of Commons, he had thought fit to consult the bank, in order to agree on a plan equitable to both parties, which might be submitted to the House with mutual consent. It was obvious to every gentleman, that for forming such an arrangement the bank and treasury had access to materials which were not publicly known, and which could not be made use of in a discussion in that House, which enabled them to form a plan more satisfactory than any other parties could suggest. The arrangements made with the bank in 1808, consisted, first, of a reduction of the charge for managing the dividends; second, of an increase of the allowance to the public on unclaimed dividends—third an advance to the public of three millions, without interest, during the war. The two first branches of this arrangement still continued, and it was further agreed, that the bank should continue its loan of three millions, without interest as before. If, therefore, he had nothing further to submit to the House, this might be considered as a fair arrangement. But in addition to this, a considerable further advantage would accrue to the public, for the bank had consented to advance a further sum of six millions, at a rate of interest which would cause a saving to the public of 60,000*l.* a year—so that the whole saving to the public from this arrangement would be 210,000*l.* a year, being an addition of 60,000*l.* to the former saving 150,000*l.* by the advance of 3,000,000*l.* without interest. The House would likewise recollect, that besides the saving of 210,000*l.* a year in interest, supposing the sum now borrowed of the bank to be repaid by the public at some future time by means of a loan, the saving in the amount of funded capital thus created would be very considerable. Some persons were very sanguine in their expectations on this head, but it was dangerous to hazard an opinion on an event so contingent and conjectural. Some persons thought that the 3 per cents. would not be at less than 80 per cent. if the operation of the sinking fund were suffered to proceed unclogged by a loan for two years. He should not take them at so high a rate as 80 per cent. but if instead of 80 it were supposed that they would be at 75 per cent. the difference which it would make between funding a debt of six millions now and at that period, would be two millions of consols. It was not merely on these grounds that he should ask the approbation of the committee. The arrangements were founded on a consideration of the financial policy of the country. The capital of the country had been drained during the last three years, and it was necessary for government to do all in its power to preserve the capital which remained from further loans. The operation of the sinking fund in two years would add 28 millions to the capital employed in agriculture and commerce. This would afford the fairest chance to the country of recovering from its depression. Of all institutions a sinking fund was that which most contributed, when unfettered by loans, to the accumulation of capital. The taxes by which it was supported, drove the people to economy and retrenchment in order to be able to pay them. The sums thus collected were immediately formed into masses of capital, which, by the ordinary process, would accumulate in a much slower manner—a sinking fund indeed might in the end accumulate capital to such an extent as to become a public nuisance.—On these grounds, if an advance of four millions and a half, which was the sum which would remain to the country after a re-payment of the loan of 1805, could be advanced by the bank, it would be a very effectual service to the public in the present state of affairs. It had been doubted whether the bank could afford to make such an advance. To throw light on this question, he should advert to the diminution of the unfunded debt which had taken place since the last year, to the extent of 21 millions, of which sixteen and a half millions consisted in the discharge of exchequer bills—the rest in the payment of navy debt, &c. In addition to this, 21 millions had been expended last year in the payment of arrears, so that the whole expended in the expenses of former years was 41 or 42 millions. The total grants last year were 83 or 84 millions, so that one half was expended in the service of the year, one half in winding up the accounts of former years, and in paying off unfunded debt. This statement must be very consolatory to the public, and he had expected it would have been received with great exultation (so unlike was it to any thing he had found in the history of the finances), if some gentleman had not said they had expected a liquidation of even a larger portion of the unfunded debt. In the present year the public expenditure was 28 or 29 millions, which in the next year would be still further reduced by 8 or 9 millions, as had been candidly admitted by the right hon. gentleman opposite (Mr. Tierney). If any one would compare this with the winding up of the expenses of any other war he would find that similar exertions had never been made before. His only object in alluding to this subject now was, to show that the bank, who were great holders of exchequer bills, might now, when so many were discharged, easily make advances to the extent that was proposed.—He should now mention a fact, to prove, that there was a general opinion that an advance in the value of government securities would take place. The exchequer bills which had now been issued, instead of bearing $3\frac{1}{2}d.$ interest as before, bore only $3\frac{1}{4}d.$ which, though it seemed trifling, would be a saving to the country of between one and 200,000*l.* A further alteration was intended in the form of these exchequer bills, for the accommodation of the public. It had been suggested, that it would be more convenient that these bills should be made payable to order, and should be transferable by indorsement, and not merely by delivery from hand to hand. A plan had been adopted to unite the advantages of the two systems. The exchequer bills were made payable to order to a nominee in blank. Thus the blank might be left, and the bill would be transferable from hand to hand, or by filling up the blank it would no longer be transferable, except by indorsement.—The right hon. gentleman then concluded, by moving for leave to bring in a bill to continue and amend the said acts.

Mr. *Bankes* expressed his approbation of the general mode of proceeding adopted. Nothing, he said, could be more judicious than to look to the bank for that relief which they could so well afford to give. His own motion respecting the rate of interest the country ought to pay must come on in the course of the bill. The chancellor of the exchequer seemed to think, in treating for government with the bank, that it was his duty to take care of the interests of both parties. But he thought he should rather take care of the public against the directors, who had really driven a very hard bargain. The bank was under a very wise and shrewd government of its own. He wished all the materials to be laid before the House. In the correspondence, there were some lights that might be thrown upon the business, and it might be proper to refer it to a select committee, without which it would be difficult for the House to act with correctness. The bank, he contended, ought not to have 4 per cent. for the six millions, and he should move for only 3 per cent. which would afford an additional 60,000*l.* a-year. This could not hurt the bank, though it might still be too much for the public to pay. He said that the unclaimed dividends in the hands of the bank were public money, and ought to be made available to the public service.

Sir *John Newport* expressed his unwillingness to trespass on the time of the House, but conceived that some observations of the chancellor of the exchequer demanded particular comment. The right hon. gentleman had expressed doubts whether the bank could, with convenience or propriety, advance so considerable a sum towards the public service; but never, said the right hon. baronet, did any doubt obtrude itself on my mind, when considering the arrangements between the public and the banks of England or Ireland, but that they had never advanced enough. It is really unaccountable that the treasury does not apply to the use of the public the balances of unclaimed dividends remaining in the hands of the bank; the money is public, and should, as such, be made available to the public service. But what is the nature of the money that the bank proposes to advance, and how is the bank enabled to effect it? Is it not derived from the act of parliament suspending cash payments? and is it not just that during the existence of such a measure the loans of the bank to the public should be free from interest? The time is now arrived when the minister should not suffer any resource to be diverted that can be made available to the public interest. It is useless for the minister to come to this House, and enter into pompous flattering statements of the prosperity of these countries; it is idle to draw a picture of happiness which our experience proves to be unreal. To this country might well be addressed the adage, which in other times, but under nearly similar circumstances, had been applied to another, "It was a pity that a country should look so well in the face, that is so sick at the heart." In like maner is this country pourtrayed in fair and lively colours; whilst the heart is depressed with sickness. It is useless to lay papers on that table, respecting the increase of our foreign trade, while internal commerce languishes. It is idle to talk of prosperity, while we feel adversity; and to think by overwhelming majorities, in this House, of drowning the sense of misery, which prevails throughout the country. Such a state of things cannot last much longer; nor can the nation endure the continuance of such large and oppressive establishments, as have been proposed. The people have, with unexampled fortitude, endured the oppression of a tedious and expensive conflict, and have a right to demand repose on the return of peace. No statements of the minister can reconcile them to such measures. And I, for one, here protest against being prevented by such statements from expressing my sentiments on these subjects. I have not had an opportunity of expressing my opinions at an earlier period of the session, on the general state of the country. I now speak from ocular demonstration of the general adversity, and were I not to declare myself thus publicly, I should not be doing my duty to the community that sent me here. The embarrassments are felt to be severe in this country; but they are mild in comparison to what are suffered by the people of Ireland. That unhappy country, borne down by the weight of taxation, directs her anxious hopes to parliament for some relief. I trust that her expectations will not be deceived, and that her sufferings and her services will merit the attention of the House.

Mr. *Grenfell* in reply to an observation made by the chancellor of the exchequer, denied that the proceedings of the House on a former night, in respect to the transactions of the bank, were such as precluded it from entering again upon the examination of that subject. With regard to the advance which was to be made by the bank, he entirely agreed with the right hon. gentleman, that it was better to have recourse to the bank for that assistance, than to raise the sum by a loan. He agreed also, that the effect of that arrangement, would be a saving to the public, though not to the extent of 210,000*l.* The only saving would be to the extent of one per cent. or in other words, 60,000*l.* per annum, as he considered the loan of three millions as only a part of existing arrangements, connected with the system established in 1808. The bargain he did not think was very advantageous to the public, for he maintained, that the bank of England possessed at this moment a fund, belonging to the public, from which they derived annually a sum equal to 570,000*l.*; and if from that sum they deducted the 210,000*l.* there would still remain 360,000*l.* per annum to the bank of clear profit for the performance of a trifling and insignificant duty. The right hon. gentleman had talked of the arrangement which was made with the bank in 1808, as one so perfect, so admirable, that no possible improvement could be made upon it: but he would beg leave to state, in reply to that opinion, that some of the most enlightened men, both in and out of parliament, decidedly thought at the time, that the agreement was infinitely short of what the public had a right to expect. The right hon. gentleman also stated, that there had been no increase in the amount of the balances since 1808; but it was not necessary to prove any increase in order to show that the public had a right to a participation in the profits of those balances. They now amounted to between eleven and twelve millions. There might perhaps be a reduction hereafter; but he knew that in a committee of bank proprietors which was held last Thursday week, and at which he was present, he asked the governor of the bank whether, in making the arrangement with government, there was any contemplation of a decrease or increase in the amount of public balances; and the reply of the governor was, that he had no reason to believe the balances would increase, but that in fact the subject had never entered into their contemplation at all. Mr. Grenfell hoped, before the session was over, that some measures would be adopted with repect to the six or seven hundred thousand pounds of unclaimed dividends in the hands of the bank, and for saving the public from a loss of thirty or forty thousand pounds per annum a sum in the present state of the country certainly not to be neglected. He should, in fact, feel it his duty to submit a proposition upon the subject, if no measures were adopted by the chancellor of the exchequer. With respect to the amount of interest to be paid, he, for one, was not satisfied that even three per cent. ought to be given, because he was of opinion that the six millions ought to be advanced without any charge of interest at all.

Mr. *Manning* observed, that the agreement between the bank and the country was only for two years; it was not a permanent one, and might, at the end of that time, be altered in any way that should seem expedient. With respect to the charge of four per cent. for the advance by the bank, if the House attempted to reduce it to three per cent. it should be remembered to what a situation they might expose the executive government; the whole negociation would have to be commenced again, and he doubted extremely whether any proposal for reducing the interest would be acceded to by the bank. He certainly conceived that a loan of three millions without interest, and of six millions at 4 per cent. interest, was an ample remuneration to the public for any benefit which the bank derived from its transactions.

Mr. *Tierney* begged that the committee would contrast the speech of the hon. director of the bank who had just sat down, and that of the Chancellor of the Exchequer. The right hon. gentleman told them that the transaction was quite open for the decision of parliament, and then up started a bank director, and said the bargain was concluded, that it could not be renewed, and that if any obstructions were thrown in the way of its completion, it would expose the executive government to great embarrassments, and the country to great difficulty and danger. He hoped, to use a recent expression, that the chancellor of the exchequer would "take a lesson" as to his future transactions with the bank. He knew the right hon. gentleman was always fair and candid; but when he had dealings with that great public body, let him remember that their object was to get from him every farthing they could obtain, and to give him as little as they could possibly help.

The *Chancellor of the Exchequer* replied, that nothing in the conduct of the bank betrayed a want of that candour and fairness which might be expected from it towards the public, nor did he think that the opinions expressed by the hon. director could be construed into a design on the part of the bank, to recede from its engagements. He had stated to the House, in the observations with which he had introduced the present measure, that he had thought it his duty, to facilitate the course of public business, to enter into such negociations, with that corporation as would enable him to lay some scheme before parliament for its sanction. On both sides it was distinctly understood, that the arrangements were only to be carried into effect in so far as they should be satisfactory to the legislature.

Mr. *Martin* gave it as his opinion, that the conditional arrangements entered into between government and the bank, would not be so advantageous to the public as the chancellor of the exchequer had endeavoured to prove. He did not think that the exchequer bills would circulate with the reduction of the interest from 3½*d* to 3¼*d*.

The *Chancellor of the Exchequer* replied across the table, that an experiment would be made at first, probably on a small scale; afterwards the remainder might be issued. He had no doubt of success.

Mr. *Tierney* observed, that appearances did not seem favourable to the anticipations of the right hon. gentleman; he could not issue exchequer bills, with any probability of their entering into circulation, without the assistance of the bank. Any project of this kind, might succeed for three weeks or a month, merely upon a recommendation from the chancellor of the exchequer, or a flattering assurance of the flourishing success that would attend its operation; but public credit would soon find its own level, without any regard to the assurances of government. The right hon. gentleman, from his official situation, got credit for a long foresight, and when he gravely said in his place that the funds would improve, his prediction might have a temporary effect in realizing itself. His word, however, was not always sufficient to satisfy doubts, and influence permanently the views of men in their monied transactions. Mr. Tierney accused the right hon. gentleman of being too sanguine in his expectations of improvement in our resources, and the right hon. gentleman replied by imputing to him too much gloom and despondency. The question war fairly at issue between them; and he would have no objection that his cause should be decided in any county of England, provided he had twelve farmers for his jury. He might even say that twelve individuals from any class of society, as well as from the agricultural body would give a verdict in his favour. If the experience of the past could be taken as an indication of the future, the right hon. gentleman could not anticipate much success from the issue of exchequer bills, as he believed that for the last six months he found it impossible to give them currency.

The *Chancellor of the Exchequer* replied, that he could draw no inference of the kind, as there had been no exchequer bills thrown into circulation within the period in question. There had not been five shillings of this species of paper in the money market for some months past.

Mr. *Tierney* answered, that the weight of this circumstance depended upon a knowledge whether the attempt to circulate them had been made.

Mr. *Thomson* observed that he was not surprised that the bank should grant to the public the use of its own money for 4 per cent. That establishment, in transacting the business of the nation, held deposits of the public money to the amount of 12 millions, and congratulated the country on its generosity in lending back 6 millions of it, not for nothing, but for nearly common interest. This put him in mind of the negociations between a Yorkshire lord and his steward, in which the latter agreed to advance his master 3,000*l.* of his own money in his hands by way of loan, and exacted interest for it as if his master had no right to receive it upon any other terms. Much had been spoken and written of late concerning the reluctance of country bankers to discount bills in the present situation of the country; but he believed there was not one of them to be found who would not advance six millions, if tweve millions were deposited (a laugh). Theproposal of an hon. member to allow 3 per cent., he hoped would not be acceded to. Such rate of interest was too high when nothing was due. The profits of the bank were enormous. The business they performed for the public might be managed by a board, by a committee, or in some other way, for a small proportion of the expense which was now incurred.

Mr. *Forbes* observed, that upon his nominal loan of six millions from the bank, which seemed to be so much thought of, the nation actually paid an interest of 9 per cent. so long as public balances to a corresponding amount, remained in deposit there. In the first place, five per cent. at least to the public creditor upon raising the money thus lodged in the bank, and then four per cent. more to the proprietors on receiving it back in the shape of a loan.

The motion was then agreed to. Previous to the Chairman quitting the chair,

Sir *Robert Heron* said, he was led to inquire of the right hon. gentleman opposite, whether the salaries paid to the commissioners of excise and customs in Scotland, had not lately been augmented, and whether that augmentation had not taken place since the opening of the present session of parliament?

The *Chancellor of the Exchequer* said, it was perfectly true, that in consequence of a representation which had been made long ago for an increase of salary, that subject had been under the consideration of government. At the time, however, it was not thought necessary to grant any augmentation, but since that period, in consequence of other arrangements, by which a great additional duty had been imposed on those boards, an increase of reward had been granted.

Mr. *Brougham* immediately rose, and in an indignant tone, expressed his astonishment at the mode which the ministers of the Crown had adopted of carrying into effect their promised system of strict economy and gradual reduction. They had pledged themselves to the country, at the commencement of the session, that every practicable measure for reducing our enormous establishments—that every method of retrenchment—that every plan for relieving the people from their overwhelming burthens—would be resorted to with promptitude and resolution: but now, instead of occupying themselves with endeavours to fulfil their promises; instead of looking into all quarters to discover where a saving might be made; instead of inquiring what useless officers might be discharged, and what unnecessary places abolished, they were engaged in imposing upon the nation additional burthens, and increasing salaries already too highly paid. His majesty's ministers, it would appear, were to be divided into two parties, one to be employed in retrenchment and economy, and the other in imposing taxes and augmenting emoluments. The right hon. gentleman gave as a reason for this advance of salary, that the duties of the officers in question were increased. In reply to this he would ask, was there no diminution of expenditure? Were not all the articles of living very much reduced in price? And would not a Scotch officer enjoy the advantage resulting from such a diminution as much as others? When the produce of agricultural labour was so low, when a promise was held out that our taxes would be diminished, when the half of that oppressive impost, the property tax, was to be taken off, even upon the proposal of the right hon. gentleman himself; and the remaining half, he trusted would be abolished in opposition to his wishes, was this a time for augmenting salaries, upon the pretence of trifling additional duty? He was surprised at this prodigal disregard of economy amid public distress—at this unnecessary addition to our expenditure; and he hoped the hon. baronet who had put the question which called forth this alarming piece of intelligence, would follow it up with some specific motion.

Mr. *Goulburn* could not help thinking that the hon. and learned gentleman who had just sat down had indulged himself in a very unnecessary as well as a very illiberal tirade upon the present occasion. He would call upon the committee to say whether the hon. and learned gentleman could be authorized in the attack which he had made upon his majesty's government, in consequence of what had just fallen from his right hon. friend. His right hon. friend had been asked a question by an hon. baronet, to which he had answered by stating facts, but without entering into those explanations which time and circumstances would not permit, but which would fully justify those facts. This was the opportunity which the hon. and learned gentleman had thought fit to take of getting up to comment upon a topic which had no connexion whatever with the question before the House, with the view of exciting the public feelings against the motives which might have influenced his right hon. friend in the augmentation alluded to. Such conduct he was sure, neither the House nor the country would deem either fair or candid. With respect to the question itself, it behoved the House to abstain from expressing any opinion, either for or against, until the opportunity arrived, when explanation might properly be given.

Mr. *Brougham* wished to state the reason why he had made the observations which seemed to be felt so acutely. The hon. gentleman ought to know, that in every question of supply, it was open to the House to remark upon every matter of grievance of which the country had to complain.

Mr. *Goulburn* said, the House was not in a committee of supply.

The *Chancellor of the Exchequer* requested the chairman to put the question then before the House, which was accordingly done that the committee should report progress, and ask leave to sit again.

Mr. *Tierney* reprobated the eargerness with which the right hon. gentleman endeavoured to get rid of a question relative to the expenditure of the public money. By an accidental question which it had been inpossible to foresee, it had come to light, that the salaries of several public officers had been increased instead of being diminished. The right hon. gentleman talked of their having more to do. That might be; but then they had less to pay. Their salaries had been increased on former occasions on the ground of the increased price of every article of consumption, and therefore when that price fell, it was but just that the increase of salary should be taken off. He was one of those who always maintained that those who executed public duties, ought to be fairly and liberally remunerated; but this was a time in which parliament ought carefully to guard against any unnecessary expenditure. The hon. gentleman opposite who had started up in defence of his right hon. friend, belonged to the office of the third secretary of state. That office had been created in consequence of the augmentation of public business during the war. He should be glad to know, when it was likely that a report would be made to the House of the state of that office, and of the period when those who were connected with it, would be enabled to surrender their functions?

Lord *Castlereagh* observed, that the conversation which had taken place, was by no means calculated to encourage his right hon. friend and himself to answer questions put to them in parliament. If hon. gentlemen chose to assume as a right that which was only an indulgence, and then proceeded to draw false inferences from the answers they received, his right hon. friend and himself would feel bound to adhere to the strict parliamentary rule on this subject. Nothing could be more unfair, than from a mere reply to a question to infer, that government were employed not in reducing, but in increasing the public expenditure. This system of endeavouring to make a sudden impression, would not be found very effectual by the hon. and learned gentleman. It was a system pretty well understood both in and out of the House. These five minutes triumphs would produce no effect. He knew that the hon. gentlemen opposite meant to make the present a very active session of parliament on the subject of economy. He applauded them for this intention, for there was no other topic on which they could have any sanguine expectations of distinguishing themselves. But he did recommend to the hon. and learned gentleman to abstain from such tricks as that of this evening. He put it to the hon. and learned gentleman's own taste and judgment, whether he had not eminently failed in all his endeavours to exhibit his dexterity at the expense of his understanding. He hoped therefore that he would in future pursue that direct policy which was so much better suited to his talents and attainments.

Mr. *Preston* contended, that the country was totally exhausted, that the taxes were beyond the abilities of the people to pay them, and that the longer ministers proceeded in their present course the worse it would be.

The House then resumed, and leave was given to bring in a bill according to the resolution.

Sir *Robert Heron* said, he had one question more to put to the right hon. gentleman. Had he been well informed, when he was told that the salaries of the law officers of the Crown in Scotland had likewise been increased since the opening of the present session of parliament?

The *Chancellor of the Exchequer* replied, that the unnecessary and irregular conversation which had followed the answer which he had given to the last question of the hon. baronet, induced him to say that it was not convenient to him to answer the question now proposed.

Mr. *Tierney* said, it was important that the House should come to some understanding upon this subject. He was ready to admit, that there were certain questions, regarding foreign policy and our military arrangements, which it would be impolitic to answer. Here, however, was a simple fact, the answer to which, whether in the negative or affirmative, could produce no ill consequences. The question simply was, "Were the salaries of the Crown law officers in Scotland raised or not?" He would be glad to know what was the objection to this question? Were they to be driven to the necessity of making motions when such information was required? or, were ministers to follow that rule which had, for the convenience of parliament, been so judiciously observed, that of answering all questions which might tend to shorten and simplify public business? If it was determined to force the House to the former course, he would make a motion day by day, and hour by hour, without notice whenever he saw occasion, and he was sure he should be supported by every honest man in the House.

Lord *Castlereagh* said, that if the right hon. gentleman would introduce a little better discipline into his own camp, he would find no objection on the ministerial side of the House, candidly to reply to all proper questions that might be put to them; for it was a practice which he readily admitted, had a great tendency to facilitate public business. If the hon. and learned gentleman opposite had allowed the question and answer of the hon. baronet and his right hon. friend to pass without observation, all would have been amicable and parliamentary, and he might, if he had chosen it, have taken the regular means of raising a discussion on the subject. But when, in a tone of importance, he thought proper to assume (without any foundation in evidence) that his majesty's government were employed not in diminishing but in increasing the public expenditure, he departed from that which was the usage of the House. No doubt the hon. gentlemen opposite were perfectly ready on every occasion to conclude against government without any investigation, but he believed they would find it difficult to persuade the public to think with them. He hoped the right hon. gentleman would rein in his steed a little, and then he would not find any difficulties thrown by his majesty's ministers in the way of information.

Mr. *Brougham* begged leave to remind the noble lord and the House of the actual facts as they had occurred in the committee. A question put by an hon. baronet had drawn from the right hon. gentleman opposite a candid answer, avowing that an augmentation had taken place in the salaries of those officers in Scotland, comprehended in the scope of the inquiry. But the right hon. gentleman had not confined himself to a dry answer. He had given reasons for the augmentation; he had entered into an argument, and had stated to the committee the grounds on which government had proceeded. "The augmentation took place recently," said the right hon. gentleman, "but it was in consequence of representations of an old date, and on the ground of a great increase in the duties of the officers in question." Hearing this, it was impossible for him not to endeavour to expose the fallacy of the statement. But by whom was the argument commenced? Undoubtedly by the right hon. gentleman, who, feeling that the measure which had been adopted required defence, entered on its justification. Then, when his only object was to show the weakness of the right hon. gentleman's defence, up started an hon. gentleman connected with the colonial department of government, and accused him of venting a tirade (as he called it) against the right hon. gentleman himself.

Lord *Castlereagh* said, that in inferring that his majesty's government were employed in increasing and not in diminishing, the public expenditure, the hon. and learned gentleman had unfairly attempted to create a notion in the public mind, wholly unfounded in its nature.

The Speaker observing that there was no question before the House, the conversation dropped.

CROWN RENTS BILL.] Mr. *Huskisson*, after some prefatory observations, in which he stated the object of the measure to be principally an annual collection of the rents, and an annual inspection, in order to ascertain that the tenants were complying with the terms prescribed to them, moved "That leave be given to bring in a bill the better to regulate the Offices of Receivers of the Crown Rents."

Mr. *Preston* was of opinion, that the object of this bill was to promote as rank a job as ever he had heard of, and that its direct tendency was, to enlarge the patronage of the Crown, which was the ultimate source of our misfortunes; perhaps, indeed, he would be more correct in saying, that it was a patronage of oligarchy which caused so many evils to the country. This, he said, was a species of patronage, which, to use the words of a relation (with whom, however, in consequence of his tergiversation, he did not boast of his connexion), had increased, was increasing, and ought to be diminished. The hon. gentleman then proceeded to draw a strong picture of the distressed state of the country, particularly in those districts within his own observation. He defied the chancellor of the exchequer to improve it, if instead of one million, he gave twenty to the farmers.

Leave was given to bring in the bill.

PRIVATELY STEALING BILL.] Sir *Samuel Romilly*, agreeably to his notice, called the attention of the House to the propriety of repealing the act of the 10th and 11th of William 3, which takes away the benefit of clergy from persons convicted of stealing privately in a shop to the amount of five shillings. This act, he said, was the most severe and sanguinary on our statute-book, inconsistent with the spirit of the times in which we lived, and repugnant to the law of nature, which had no severer punishment to inflict on the most atrocious of crimes. It was no reason for not repealing, but, on the contrary, the strongest for repealing this act, that it was never executed. There could not be a more pernicious system than that of severe laws and a relaxed execution of them. At the time the act was passed, the crime was extremely prevalent, but the change in the law had not caused it to disappear. Yet it had been at different periods strictly enforced; and in the year 1785, no less than 97 persons were executed for this offence in London alone, and the dreadful spectacle exhibited of twenty suffering at the same time. It was a vast discretion to vest in any men, and although it might be safely confided to twelve judges, selected from the profession for their learning, wisdom, and character, it was sometimes intrusted to others of inferior talents, and whose conduct was less under the constant observation of the public. The hon. and learned gentleman then proceeded to state the number of persons who had been tried for capital offences of this nature during the last five years. Taking the whole together, 161 had been indicted, and only 41 convicted. This fact was only to be accounted for from juries being placed under circumstances which obliged them to depart from the dictates of their own consciences. They found the property not to be of the value which they averred it to be; and cases had occured, in which two persons were indicted for stealing the same property, and only one of them was convicted, because he was an old offender. In a recent case, a person had been indicted for stealing a 10*l.* bank note out of a dwelling-house; but the jury found it to be not of the value of 40*s.* Now, though bank notes might have been considerably diminished in value, he thought it would be difficult to prove that they had fallen in this proportion. And yet this sort of *pia fraus*, as it was called, had not only been long in practice, but was even recommended by the bench. Mr. Justice Blackstone had positively declared, that it was a thing proper to be done. He did not speak of that doctrine being held by the learned commentator when he was a mere student at the university, but that it was contained in the last edition of his work, which he himself revised after he was made a judge. But what benefit could the public receive from example, where punishment was never inflicted? He considered it a most serious and alarming fact, that there had been a great increase of offences in London and Westminster between 1806 and 1815. He could hardly read a newspaper without seeing paragraphs descriptive of youthful depravity, of crimes committed by poor, wretched infants, who had been abandoned by their profligate parents. He had lately read, that the recorder had declared it to be the determination of the Prince Regent to execute the next boy who was convicted, in order to give a check to youthful offences. He supposed, however, that this was merely an empty threat, because he could not think such determination could be made, while experienced men received the mercy of the throne. He had no hesitation in saying, that this great increase of crimes was to be attributed to the inferior officers of the police, whose interests were directly at variance with their duty. He had seen it in evidence before the House, that such things actually existed: it was their object, not that petty offenders should be suppressed, but that they should be permitted to go on from crime to crime, till the officers received a large reward for merely doing their duty. He sincerely hoped, however, that the session would not be allowed to pass, without an inquiry into the state of the police. An hon. friend of his (Mr. Bennet) had lately rendered the most important services to the public, by detecting and exposing the scandalous abuses which existed in the prisons of the metropolis; and he trusted, that the same gentleman would immediately turn his mind to this other important subject. Having troubled the House with these remarks, he should move, "That leave be given to bring in a bill to repeal so much of the act of the 10th and 11th Will. 3, as takes away the benefit of clergy from persons convicted of the offence of stealing privately in shops, money, or goods of the value of five shillings."

Leave was given to bring in the bill.

HOUSE OF LORDS.

Monday, February 19.

AGRICULTURAL DISTRESSES IN IRELAND.] The Earl of *Limerick*, before the House proceeded to the order of the day, was desirous of calling their lordships' attention for a moment to a subject of great importance—he alluded to a petition which he held in his hand from a very considerable district of that part of the united kingdom to which he more especially belonged, stating the great distress which had arisen to the agricultural interests in that quarter. It was a petition agreed to at a county meeting of Limerick, called by the high sheriff. And it was remarkable, that notwithstanding the political and religious differences which prevailed in that country, it formed the only instance in which a petition had been unanimously agreed to—all parties, all classes and descriptions of persons agreed to it, notwithstanding all the differences that might subsist either of a political or a religious nature. The petition stated, that every article of agricultural produce had greatly sunk in value; that it had indeed so sunk, that it was almost impossible to obtain any money for it. The butter trade also (a fact of which he was not before aware), which was the great reliance of that country, had been so much depressed in consequence of the facilities given to the introduction of foreign butter, which came unburthened with those taxes and charges to which the home article was subject, that butter which from 1812 to October 1815 had fetched from 5*l.* 12*s.* to 5*l.* 16*s.* per cwt., had since October fallen to 3*l.* 16*s.*, a depression that caused the most serious evils to the people of that country. The provision trade also had in a great degree failed, which most materially added to the distress. As some remedy for the evils thus produced, the petitioners, who were highly grateful for the patriotic conduct of parliament regarding the corn bill, at the time it was discussed highly unpopular, but which unpopularity had now vanished—ventured to propose, that the import of foreign butter should be subjected to restrictions, so that the holders might not be enabled to undersell the home produce, and that by means of some new regulations the provisions of Ireland, should be admitted into the colonies with greater facility. They also ventured to suggest, that the heavy duty on malt had, in its effects, greatly deteriorated the revenue, whilst it had, at the same time, materially injured the interests of the grower. This duty, they expressed a hope, might be modified, so as to give some relief to the agricultural interest. Whatever might be the opinion of parliament as to the propriety of applying these remedies, he could most confidently state to their lordships, that it was necessary to do something in order to afford relief to the great number of individuals in the county of Limerick who were now deeply distressed. If some remedy was not applied, a great mass of the population must inevitably be thrown out of every sort of employ, an evil, the mischievous consequences of which, he shuddered to contemplate His lordship concluded by presenting the petition, which he moved should be read.

The petition having been read, it was ordered to lie on the table.

THE TREATIES.] Lord *Holland* before they proceeded to the order of the day, wished to ask a question of the noble earl opposite, in order to elucidate the subject before them. He observed, in the note presented by the allied ministers to the duke de Richelieu, notifying the appointment of the duke of Wellington to the command of the allied troops in France, it was stated that "the allied sovereigns have nevertheless, in consideration of the high interest which induces them to strengthen the authority of the legitimate sovereign, promised to his most christian majesty to support him with their arms against all revolutionary convulsion.* He wished to know to what promise of the allied powers this phrase alluded?

The Earl of *Liverpool* said, it referred to a previous note of the allied ministers, communicating the treaty concluded between this country and the allies to the French government, and not to any specific engagement upon the subject.

Lord *Holland* asked, if he was to understand that the promise alluded to merely referred to the note mentioned by the noble lord?

The Earl of *Liverpool* replied in the affirmative.

ADDRESS UPON THE TREATIES WITH FOREIGN POWERS.] The order of the day being read,

The Earl of *Liverpool* rose. He said, it was now his duty to call their lordships' attention to the treaties which had been laid on their table by command of the Prince Regent; and in so doing, the first circumstance which suggested itself and which, indeed, forced itself upon his notice was, the extraordinary rapidity of the success which had attended the military operations of the late campaign, as well as the complete nature and result of that success. It was only on the 25th of May last that their lordships had addressed the Prince Regent, and promised their aid towards the re-establishment of peace and security in Europe. Their lordships then heard the dismal forebodings and evil prognostications as to the result of the policy which they had thought proper to adopt. In little more than three weeks from that period—on the 18th of June, Europe was a second time delivered on the field of Waterloo. In a few days after Buonaparté was forced to abdicate, and on the 3rd of July Paris capitulated to the duke of Wellington and Prince Blucher. He thought he might safely say, that there was no instance in the history of this or any other country, where, considering the magnitude of the operations and the object, the success was so rapid, and so complete and decisive in its nature. He stated this, because nothing could set in a higher point of view the exalted merits and glorious services of the commander and the troops. But, had he not also a right to say, that the government in such a trying moment had not been wanting in its duty, when, under the circumstances which then existed, it had collected and brought to bear upon the enemy, within so short a time, a body of troops capable of performing such great and important services? And might he not further say, that it was a strong presumption of the soundness of that policy upon which this country had acted, that the power of the adversary, which had been represented as so formidable, was completely overturned by the effect of a single victory? If that power had been rooted in the affections of the people of

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* See p. 261 of the present volume.

France, as had been some times and in some quarters asserted, was it to be believed that it would have been so speedily destroyed?

This, then, was the first circumstance which must naturally press itself upon the attention of the House—the rapid and complete success which attended the military operations of the campaign. But, before he proceeded further to state the nature of the measures adopted by the allied powers, he must explain the principles upon which they were founded; and with that view he must look a little back, and observe in what situation this country stood with respect to France and the allies, at the time when these operations commenced, and also at the time when the negociations which led to the treaties now before their lordships had begun. In 1814, when the allies had entered Paris and the war was finished, the great principle upon which this country and the other allied powers had acted, was that of liberality. The principle of the treaty of Paris in 1814 was that of great liberality towards the French government and the French nation. Many, indeed, thought at the time that this had been carried too far, and in one or two instances this might be true. But, though ill applied in one or two instances, yet he was prepared to contend, that the principle itself was just and wise. The object at that time was, to make the government then established in France satisfactory to all parties, and to take away all pretence for disaffection and revolt. And he could not help looking back upon the policy which had then been followed, with a great deal of satisfaction. If the allies had not acted upon this principle of liberality and confidence towards them, it might have been said, that the hard conditions imposed by this country and the other powers, and the ungenerous advantage taken of the state of France, had occasioned the revolt which afterwards took place. But, by the liberal nature of the policy which had been adopted, all pretences of that description were taken away. The object had been to show every respect to the king of France, and to repose every confidence in him and in the French nation, that was consistent with the repose and security of Europe. The principle was that of rendering the government popular in France, and establishing a state of things in that country the best calculated, as far as could then be seen, to lay the foundation of lasting peace in Europe, by providing for the internal tranquillity of France, with which the peace of Europe was intimately connected. This was the policy then pursued; and if their lordships would carefully advert to what happened afterwards, they must, he was persuaded, be convinced, that the re-action which took place was the consequence of the revolt of the army, and of that only. It certainly could not have been owing to any undue severity in the government, for his firm belief was, that a milder government, under such circumstances, never existed. That there might have been some errors in the government, as there must be in all governments conducted by fallible men, he did not mean to dispute; nor was the circumstance extraordinary. But the general policy of the government was mildness, and a disposition to secure the good-will of all parties; and the errors, if such there were, arose from that fallibility to which all human operations were subject.

He thought it material to mention these particulars, as connected with the situation of France at the time of the landing of Buonaparté in the beginning of March 1815. The effect of that operation was certainly wonderful and unexpected. He had heard it said out of doors, that the success was to be ascribed to this wrong and that error of the French government. But his firm belief was, that the success of Buonaparté's attempt was not owing in the slightest degree to any error of the government of France; it was owing, as he had before stated, to the revolt of the army, and to nothing else. That was the sole cause, and whether the policy of the government was more or less wise, signified nothing as to that circumstance. As to whether any precaution could have been taken, so as to prevent the success of Buonaparté's attempt, he would not now consider. But the fact he took to be perfectly clear, that the success was owing solely to the revolt of the army, together perhaps with the circumstances of surprise which attended the enterprise. When the news of Buonaparté's landing first reached the allied sovereigns at Vienna, the declaration of the 13th of March was published. That declaration, it must be observed, was issued merely on the intelligence of his landing, before they had heard of his success; and this was manifest from the terms of that declaration, which expressed a hope that the French themselves would repel the attempt. The object of it was to excite the French themselves to repel it, or, in case they had risen for that purpose, to excite them to greater alacrity and perseverance, by showing them that the allies were determined to support them. It was intended as a species of stimulus to the French for the accomplishment of a purpose in which all were so much interested.

Such was the proceeding of the allies before they knew of Buonaparté's success. On the 25th of March that treaty was signed which had last year been laid on their lordships table. That treaty was entered into after the allies knew that the enterprise of Buonaparté had been, to a certain extent, successful. They were then aware, that he had entered Lyons. But it was material to observe, that it had been concluded before they knew that the king of France had been under the necessity of quitting Paris before they knew that Buonaparté had entered the French capital, and while they conceived, that, even if the king should be obliged to leave Paris, he would still be at the head of a powerful party in some other part of France. It was concluded in the belief that Louis 18, was then *de facto* king of France, at the head of a strong force, either at Paris or some other part of the country. This appeared from the terms of the treaty; for it was stated, that in case the king of France demanded assistance, he was to mention what force he himself could bring forward. Such were the circumstances under which the treaty was concluded at Vienna. When it came over to this country, it was known here that the king of France had left Paris and France, and had retired to Ghent; and, under these new circumstances, the ministers here had to consider how far they could adopt that treaty. They had therefore thought proper to accompany their acceptance of it with a declaration which their lordships were already acquainted with. The design of that declaration was to show, that in adopting the treaty, though we most anxiously desired the restoration of Louis 18, and considered that restoration as a matter of the first importance, yet we did not mean to bind ourselves to engage in a war with France merely for that object. When the treaty, with this declaration, was received again at Vienna, the allies concurred in the views of the government of this country, and made a counter-declaration to the same effect. Whether that was among the papers on the table, he was not certain; but, if it was not, their lordships had a complete view of the policy of the allies on that occasion in the clear and distinct letter of lord Clancarty.* It then came to be considered, whether the 8th article of the treaty, by which the king of France was to be invited to accede to it (that article being inserted under the idea that Louis 18, was then *de facto* king), could be executed. Matters stood upon a different footing when it was understood that the king had quitted the French territory: and the consequence was, that the 8th article was never executed, and that the king of France had never been invited to accede to that treaty, and had not, in fact, acceded to it. It was necessary to go into this detail, in order to show the relation in which this country stood, with respect to France and the allied powers, at the time when the operations of the campaign commenced. The result, he conceived, was, that there was no engagement by this country and the allies with the French king. They were bound in regard to each other, unless any of them chose to release the rest; but they were under no engagements with the king of France, who had never been invited to accede to the treaty, and never had acceded.

On the other hand, though there was no positive engagement on our part with the French king, the noble lord was ready to admit, that from all that had passed, and the recognitions we had made, we were under a species of honourable and equitable engagement to support the pretensions of Louis 18th, as far as that could be done without touching on the principle which the government of this country had promulgated as the rule of its conduct. It was the anxious wish of the government of this country, that Louis 18 should be restored to his throne, and it was the professed object, to do every thing that could be done for that purpose, yet so as not to make that restoration a *sine qua non* of peace. Their lordships, therefore, would easily see the distinction between the terms of the treaty as it stood before it was known that the king had left France, and the nature of the engagements which were actually entered into after all the circumstances were under the view of the allied powers. The object of the treaty of the 25th of March was the general security of Europe. Experience had proved, that that security was essentially connected with the internal state of France, and that Europe never could be secure while the government of France was founded upon a military force, and a system of aggression and conquest. The great alliance of Europe could never have been cemented, unless the object had been the general security of Europe, without any view to the interests of any particular power, except in so far as they were connected with that grand object. Before hostilities commenced, three alternatives presented themselves for the consideration of the allies. The first was, to treat with the actual government of France, if it could be treated with upon any reasonable terms, which was highly improbable. The having to do with any government in France, except that which he considered as the legitimate government, was an alternative which he confessed he could not look at without dismay. If that alternative, however, had taken effect, we should have been entitled to insist on the principle of cession and dismemberment, to any extent that we might think expedient, and had power to enforce. No government, except the legitimate government of France, had any claim to the confidence of the allies, so as to induce them to forbear from insisting upon every thing that might be necessary for the security of Europe, whatever might be the sacrifice on the part of France. The second alternative was, that the French themselves might have risen and restored their exiled sovereign. If that had taken place — if the French themselves had restored Louis 18, then he conceived that the government of France and the French nation would have stood, with respect to the rest of Europe, in the same situation as before, and that the stipulations of the treaty of Paris of 1814 ought to be strictly adhered to. The third alternative was, that the king of France should be restored exclusively or chiefly by the efforts of the allies. In that point of view, the allies would act upon the most liberal policy with respect to the restored government, that circumstances would admit of; but, after what had happened, they were fully entitled to insist upon some indemnity for the past, and security against the recurrence of such an event in future.

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* See Vol. 31, p. 311.

Thus it appeared that there was no specific engagement with the king of France, and that, upon his being restored by them, they were bound, by their duty to their own subjects, to accompany that restoration with such conditions as would afford sufficient security for the peace of Europe. Then, what was the course of events? On the 18th of June that memorable conflict took place which had decided the fate of Europe—a conflict the most tremendous and extraordinary that had ever happened in the annals of the world—a conflict remarkable, not only on account of the prodigious talents displayed by the general, and the exalted valour of the troops, but also on account of this peculiarity attending it, which had been noticed by the general himself—that it took place in so narrow a space (and narrow indeed it was, considering the immense force engaged in it), that it was, in fact, a trial of the moral and physical strength of the two nations. Their lordships knew the issue of that conflict. That power which had been raised by the sword fell by the sword. It had no hold in the affections of the country, or even in the two assemblies. It rested merely on the army: that army was crushed, and the country was open to the duke of Wellington and prince Blucher, who advanced without opposition to Paris. The provisional government, which had acted after the abdication of Buonaparté, dissolved itself, and the king returned, and was immediately received into his capital. The allies had then to consider, after the French army had been disbanded, what new arrangements were to be made, in order to provide for the future repose of France and of Europe. He had already stated, that the allies, under the events which now happened, were entitled to demand some indemnity for the past, and security for the future; and they had to consider how these objects could be attained, with the least possible hurt to the feelings of the French government and people. Here there were conflicting duties. In 1814, the allies had acted upon a principle of confidence in the French nation; that, however, could not now be done; and their duty to Europe, and to their own subjects, required that they should insist upon some effectual security for the future tranquillity of France and Europe.

This led him to the consideration of the terms of the treaties now on their lordships' table; and if, in considering these, he did not enter into all the minute circumstances connected with the arrangement, it was only because he was anxious that their lordships minds should not be so embarrassed with a multiplicity of details, as to preclude a due attention to the great principles upon which it was founded. The arrangement was founded on three principles; First, the military occupation of part of France by the allied troops for a limited number of years. Second, the pecuniary compensation which the Allies were entitled to exact from the French government. Third; a territorial arrangement. Though all of these were important, the first was the most essential, and that upon which the others depended. There might be different opinions as to what sums of money, or what territorial cession might be required: but it was evident, that nothing effectual could be done without keeping part of the troops of the allies in France for a limited period. This principle was then indispensable and essential for the due performance of the other conditions; for the payment of the pecuniary indemnity, and the due execution of the territorial arrangements, depended on the internal tranquillity of France. Considering, then, the extraordinary efforts made by the allies, the right to demand a pecuniary indemnity could not be disputed, and, in fact, it was not disputed, by the French government: but it was necessary that the demands of the allies in this respect should not only be kept within the bounds of justice, but within the limits of the ability of the French government to pay. It was clear, that 700 millions of francs were not beyond the just claims of the allies; and this, it was conceived, was no more than the French government could pay; but then it was evident, that this payment could not be made all at once, and it was perfectly just and equitable that part of the allied force should remain in France, and some of the French fortresses be held by the allies till the payment should be completed. This was just in itself, and consonant to what had been done on former occasions.

The next point was that of territorial cession; and there was no doubt but the allies were entitled to have demanded a much longer cession than had been actually required. If it had stood merely on the right, however, it might have been a question how far it was expedient to insist upon it; but the allies had to revise the treaty of Paris of 1814, with a view to the consideration of what additional security ought to be demanded for Europe. This, however, was a matter of great difficulty; for the allies had to consider, not only what extent of cession might be required, but also how and to whom to dispose of the territory ceded. It appeared to the allies that, considering all the circumstances, they had a right to a retrocession of all that territory not belonging to France at the period of the commencement of the revolution, which had been left with her under the treaty of 1814. Regarding the integrity of France, then, as the basis of the arrangement, the allies had thought, that as portions of territory which had belonged to other powers had been left to France, because they were *enclavé* within the French territory, it was but just that portions of territory belonging to France, *enclavé* within the territories of other powers, should be surrendered to them by France; and on this principle certain portions of the French territory were assigned to the Netherlands, to Prussia, and other powers. It had been the opinion of the duke of Wellington, who, in 1814, had made a survey of the Belgian territory, that the fortresses adjoining France might be put into a practicable state of defence and security, by completing the works in some of them, and restoring the dilapidations in others. This survey would be ever memorable, not only from the practical consequences of it, but also from one circumstance of striking peculiarity—that when the illustrious commander came to the spot which had since been the scene of his triumph, he observed, that if ever he had to contend for the Low Countries, Waterloo should be the position which he would choose for maintaining the struggle. The opinions of a man, whose anticipations had been so completely confirmed by subsequent events, became doubly important; and, acting from such suggestions, the allies thought it highly expedient that a part of the French contributions should be applied to the restoration of those Belgian fortresses—a mode of applying them, which was considered at once as most useful to the Netherlands, and least wounding to any honest pride of the French themselves. At the same time, the allies felt themselves entitled to possess such of the opposite French fortresses as were not surrendered by military occupation, till the works of the fortifications on the Netherland frontier should be perfectly finished. The great object was to establish a sufficient frontier, partly by cession, and partly by military occupation—an object of equal importance to the safety of the external territory and to the internal tranquillity of France. He was, however, still prepared to state, and to state it as a justification of the policy pursued by the allies, that a considerable majority, at least three-fourths of the people of France, were sincerely and ardently attached to their legitimate king, Louis 18. This opinion he had asserted in a former debate, and every thing he had heard or seen confirmed him in that opinion.

There had been, as their lordships knew, two legislative assemblies called together within the course of the last year; one elected under the direction of the individual who at the time assumed the sovereignty, the other more recently elected under the auspices of the rightful monarch. It was no trifling argument against the pretended popularity of the late chief, that even the assembly of his own selection had shown but little attachment to him or his fortunes. But a still stronger argument might be deduced from the dispositions and feelings evinced by the present chamber. If any noble lord would take the trouble of examining the lists of the electors of the two chambers, he would find that the partisans of the King were not merely double the supporters of Buonaparté, but that nearly three-fourths of the electors had shown by their votes their attachment to the legitimate government, while not more than one-fourth had declared their inclination for the unlawful sovereign. It was true, that the king had made a small addition to the number of the electors in each department, but the augmentation altogether was not more than one tenth of the whole. It was thus evident, that in point of numbers, as well as respectability, the king's government was the more popular. He did not, however, mean to assert (for how could any man venture such an assertion?) that there was not a very considerable party hostile to the legitimate dynasty. When he looked at a large portion of the members even of the legislative assembly; when he considered that 30,000 officers had been disbanded, and must therefore continue to be an immense focus and centre of discontent and disaffection; he could not doubt, nor could any man who exercised a good and honest sense of things for one moment doubt, that a large party existed in France, whose great wish it was to overturn the government, to uphold that profession of conquest and spoil in which they had been nurtured, and to make the sword the sole instrument of external and internal rule. Were the allies to be blamed for this? Was England to be charged with this evil disposition of a French party? It had been their earnest wish and endeavour to reconcile the army to the king: the project had failed: the army had been from necessity disbanded, and discontent and danger were the natural result. Till this discontent had been removed, till this danger had been subdued, would it have been wise, would it have been safe, to leave France to the machinations of those turbulent spirits, uncontrolled by the presence of foreign power? There was no inconsistency in this argument, or in this conduct. The great majority of the French people were in favour of the Bourbons, and yet there was also a great, and active, and powerful party anxious, from desperation, to overwhelm the throne; and which, from its military composition, would be able to overturn it, unless checked and rendered powerless by the vigilant interference of external force. Nor would the principle of dismemberment, which some had advocated, at all have tended to insure internal tranquillity, unless accompanied by military occupation; but would rather have added to the internal discontent, while it would have exasperated even the well-disposed against the government and its allies. Upon the whole, then, England had adopted the plan of military possession for a certain time, from a conviction that it was the most just, both for itself and for all Europe.

He was aware that objections had been made to the right of interference with other governments. This had been so ably argued last session, that he should not now discuss the subject at length, though, as it had been renewed, he would just notice it. He must say, then, that he could not conceive on what ground this objection was founded. He could not find any, either in the writings of statesmen, or in recorded treaties, or in the traditionary principles which regulated the external policy of nations. The great principle of all government, in its domestic or foreign relations, was self-defence, either against direct attack, or against probable or premeditated danger. The balance of power, if traced to its true source, would be found to be derivable from this principle. Certainly it was to be allowed, that in common cases the internal concerns of a particular nation ought not to be meddled with by another nation; but if these concerns affected the very existence of other nations, then it became a duty to interfere, for the same reasons which justified an interference of a third power between the quarrels of two contending countries. If such a position required illustration, he might refer to the familiar case of a nuisance, or a fire. If the house of an individual presented cause of just and manifest offence to the adjoining houses, both natural and municipal law allowed the neighbours to interfere, and insist on the abatement of the object of offence. If a house were in flames, did either morality or law require, that a man should wait till his own house caught the conflagration, instead of rushing forward at once to extinguish the danger, even by the demolition of the house from whence it issued? The only question was—is the danger evident? Is there a necessity for self-defence? He would not say, that a mere apprehension of danger was sufficient; the danger should be open and apparent; but, in the case of France, he would ask, whether the danger had not been felt and experienced for twenty years? One would have thought, indeed, that the French revolution formed of itself such a case as should be made an example of; that if no precedent had existed which could be applied, a precedent might in this instance have been fairly created.

But it had been asserted, that no examples existed, which could warrant the present conduct of England and her allies with respect to France. It was triumphantly maintained, that no treaties could be found where the principle of such interference had been avowed. How different, it was said, were the proceedings connected with the accession of king William and of the house of Hanover! In answer to such assertions, he would ask—had the gentlemen who advanced such arguments ever looked into the treaties relative to the accession of those two houses? He would first call the attention of their lordships to a treaty between queen Anne and the states-general, concluded at the Hague on the 29th of October 1709, in the second article of which it was stipulated that "no power having a right to call in "question the succession of the house of "Hanover to the throne of Great Britain; "and to oppose the laws made to this "purpose, by the crown and parliament "of Great Britain, the states-general engage and promise to assist and maintain "in the said succession, her or him to "whom it shall belong by virtue of the "said acts of parliament, to assist them "in taking possession, if they have not "already got it; and to oppose those who "would disturb them in the taking such "possession, or in the actual possession "of the aforesaid succession." In the treaty of Jan. 29, 1713, there was a similar article, where the states general further engaged, after the decease of the queen, to assist the house of Hanover in obtaining and keeping possession of the throne of England. And in the 15th article of this latter treaty, it is agreed, "that all "kings, princes, and states, that desire to "come into this treaty, may be invited "and admitted thereunto." In the 7th article of the treaty of triple alliance there was likewise a stipulation, that if the government of the house of Hanover were disturbed by any internal plots, France and Holland should furnish the same succours as in case of foreign invasion.

Here, then, were treaties and solemn engagements made under the sanction of the parliament of Great Britain, not against foreign enemies, but against internal conspiracy and sedition. There were indeed, some people who would maintain, that the accession of the house of Hanover was not then desired by the majority of the nation; and certainly all must allow that, at the time alluded to, there existed in this country a most formidable party in wealth, rank, connexions, and talent, which was decidedly hostile to that illustrious house. The wiser part of the nation, had however, demanded them for its rulers: and he would ask, whether there could be any principle which justified the English nation in then calling upon foreigners for interference, which would not now even more amply justify England in her interference with the internal direction of French affairs? No man could be less willing to become an advocate for the house of Stuart than himself; but he could not help observing, as to the rival dynasties of Stuart and Brunswick and their probable influence and consequences upon foreign nations it could have been of very little importance to other states by which of the two houses England might be governed. But here, in the case of France, there was no rational hope of internal tranquillity or safety to any individual state of Europe, unless there was a direct interference with the domestic management of France. He knew that there were some who maintained, that the dismemberment of France would have been better than this continued intermeddling with its affairs: and, certainly, if any man were to ask him, as an abstract question, whether he would wish to see France curtailed, he would not answer in the negative. But another question arose—to whom the detached members of its territory should be given? For if they were given to a power incapable of maintaining them, such power would be weakened instead of strengthened by the accession. To put the question fairly, he would inquire whether, for instance, the security of the Netherlands would not be endangered, rather than confirmed, by the possession of Lille and Valenciennes? If, indeed, the policy had been to humiliate France, or to reduce it as far as possible to a second-rate power then no measure should have been observed in the treatment of it: it should have been dismembered to any extent, provided its provinces could have been put in possession of those who were able to preserve them. But the allies had very different objects in view. With respect indeed, to the spoils and trophies of former conquests, it was but just, that when fortune turned in favour of the allies, these acquisitions should be considered as in some measure the just fruits of victory, as far as related to the restoring them to their original possessors. The mode of removing them might be humiliating but the principle was just, and such as no sensible Frenchman would dispute. If, on the other hand, the provinces of France had been dismembered, a feeling of hatred would have been excited never to be conquered; and how would any state, though gifted with these accessions, be able to make a stand against the desperate exasperation of a people, stung into putting forth all its strength? And how could such a risk be justifiable, when, as in the case of the Netherlands, the best means of defence in other states were to be found in the states themselves? The great object of England had been to keep the alliance entire. Where the different interest of the allies excited some natural disputes and difficulties, the ministers of England felt that they should have incurred unpardonable guilt, if they had not given way in matters not of pre-eminent importance, in order to reconcile all parties. It was not unnatural, that the countries bordering on France should wish to have their territories augmented and it was a happy circumstance for this country to be so situated as to be able to be a sort of disinterested mediator in those contentions; for though the proximity of our position to France rendered the state of that country a matter of the highest importance to us, yet our insular situation, precluding the notion of any immediate interest with its condition, allowed our interposition and arbitration to be viewed without prejudice or passion.

Upon the whole he might fairly say, that there had rarely been an arrangement where all interests had been so carefully provided for. What was it that had been undertaken? We were bound to restore the unmolested possession of France to its king at the end of five years; but we were not bound to restore it to any other government then existing: and thus time was given to the king to correct those evils which could not be corrected in a moment. Throughout all these transactions, Great Britain had no merely personal object in view: her conduct had been purely disinterested, and she had taken especial care not to prejudice the king of France in the eyes of the people of France. As to the removal of the pictures and statues, that was a great act of justice, whether considered in relation to the past or the future. Whatever partial and temporary exasperation might exist on this subject, sure he was, that if those works of art had remained in France, they would have been a perpetual rallying sign for revolutionary principles, inasmuch as they were the trophies of revolutionary triumphs. Proud he was of the part which this country had borne in the transaction, because not a single statue or picture had been taken for itself: still prouder was he because it had obtained that every one of them should be restored to their original owners. Indeed, so strong was his feeling on this particular point, that, much as he deprecated their remaining in France, he should have preferred even that to their being sent either to this country, or to any to which they did not rightfully belong.

Now, as to another part of the great arrangement, to which the papers on the table related, namely, that respecting the

Ionian islands, it was in compliance with the general views of the allies and of Europe, that the British government had taken those islands under its protection; and he thought it must be felt, that government would not have done its duty, if it declined to accede to that proposition. And here he would ask those who talked so much about the prevalence of a jealousy in Europe, against our maritime power, whether the voluntary surrender of these islands to this country afforded any ground to justify that opinion? It was, indeed, a most gratifying proof of the general confidence of the allies to place a people, so interesting for various reasons, under the protection of this great and liberal nation; and he felt fully assured, that that confidence would never be found to have been misplaced; that Great Britain would do her duty towards those whom she undertook to protect.

In considering the whole of the great transaction under discussion, he felt, he declared, the most sincere satisfaction, not only from a review of the object of the great alliance of which we formed a part, but from a reflection upon the result. The object was, to put down the principle of universal empire and military despotism, which the power of France was so long employed to promote. Yes, he would ever maintain, that a project of universal empire filled the mind and actuated the efforts of him against whom this country had so long been compelled to wage war. Views of aggrandisement were, indeed, pursued by the French government, which were utterly inconsistent with the safety of Europe. Yet those were the views of Buonaparté, and of that revolution of which he was the champion. But he believed that no rational being could now be found to entertain a doubt upon this subject in any quarter of the world, namely, that the views of the revolutionists and their principal captain were alike inconsistent with the general safety of Europe, and the establishment of real liberty. The defeat of such views must therefore be grateful to every good man, while in the existing state of mental cultivation there was every prospect of the improvement and advance of rational liberty and the happiness of mankind. What a consolitary contrast did this present to the state and tendency of the late revolutionary government of France! That government was, indeed, a systematically organised despotism. What, for instance, was its conduct with regard to the liberty of the press? That liberty in this country was subject to no restraints, but those which were necessary to the safety of the government; and even with respect to that safety, how many instances might be found where writers were tolerated, while, to use a familiar phrase, they "sailed very near the wind" indeed. Yet such was the high and just estimate attached to the enjoyment of the liberty of the press in Great Britain, that abuses of that liberty were often overlooked, lest its importance and utility should be impaired. But what was the system in France under Buonaparté? Why, a censorship was established, the functions of which were not confined to politics merely, but extended to every description of writing. This censorship was, indeed, often exercised in making a total alteration in the sentiments of a writer, and that, too, in the discussion of moral and philosophical subjects—in disquisitions upon topics unconnected with politics. But such was the rigour of the system uniformly pursued by him, whose whole object was the gratification of his own will, in the establishment of a complete military despotism, and in rendering man a mere machine. Thanks, however, to the manly perseverance of this country, and the distinguished valour of its allies, that abominable system was put down—put down, too, by efforts on our part to which every quarter of the world bore honourable testimony—for what was the quarter which had not been, in the course of the war, the scene of some glorious achievement for Great Britain?

Now, as to the general merits of the treaty under consideration, he called upon their lordships to compare it fully with any treaty recorded in our history. In former arrangements, at the conclusion of a war, it had often been represented, that this country neglected to keep what she had acquired, but in this instance he rather apprehended, that however some might suppose we had kept too much, it could hardly be alleged that we had kept too little. It had also been objected to former arrangements, that the interests of our allies were sacrificed and our own obligations deserted; but all Europe bore testimony to our good faith and generosity on the present occasion.

With respect to the difficulty and distress complained of at present, he lamented it most seriously, but he felt satisfied that that difficulty and that distress could be only of short duration. Such distress, indeed, was usually found to follow the conclusion of every war; and to be generally most severe immediately upon the conclusion of the most successful war. There were several men now living who must recollect the state of the country upon the conclusion of the peace of 1763, which terminated a glorious and successful war. Yet such was then our situation, that many doubted whether the taxes would be sufficiently productive to pay the interest of the public debt. But it must be the natural consequence of peace, that the numbers who subsisted upon a war expenditure should experience distress until capital took another direction, and the industrious habits which belonged to a state of peace resumed their activity and influence. And here he thought it proper to observe, that, under the circumstances of difficulty in which the country was placed, it was most material, with a view to mitigate the pressure of that difficulty, that the suspension of cash payments at the bank should not at present be removed. Upon this point, indeed, he remembered that a noble lord with whom he had sometimes the honour to concur, and who professed to disapprove of the principle of restriction either in peace or war, still objected to the removal of that restriction immediately, upon the conclusion of peace, because he thought that at that period such removal would be peculiarly inexpedient. With that noble lord he fully concurred, that the period alluded to would, for various reasons, be a most improper time to choose for the removal of the restriction. With regard to the peace establishment, he trusted it would be felt, that, under all the circumstances, the establishment proposed was peculiarly necessary. We were indeed called upon by every consideration of policy to keep up a proper establishment. This he had no doubt would be the universal sentiment of the country, when it was recollected, that with a population of from twenty-five to thirty millions of people in France, too generally infected by revolutionary feelings, it behoved us to provide for the security of the advantages which we had obtained, and that in such circumstances a low ineffective establishment might be productive of fatal results. The noble earl concluded with moving,

"That an humble Address be presented to his royal highness the Prince Regent, to return to his royal highness our sincerest acknowledgments and thanks for the important and satisfactory communication which his royal highness has been graciously pleased to make to us of the definitive treaty concluded at Paris, on the 20th of November last, with his most christian majesty the king of France and Navarre, together with the various arrangements connected therewith, by which the blessings of peace are restored to Europe:

"To assure his royal highness that we have witnessed, with equal admiration and applause, the promptitude, unanimity, and vigour, with which the allied forces were brought into the field at the outset of the campaign, to which unexampled exertions, under Providence, is to be attributed the early consummation of a victory by which the contest was at once brought to a successful close, and which may be justly recorded as a triumph unparaleled in the annals of war, both for its glories and for its results:

"That, after the experience of the preceding year, we fully approve the policy which determined his royal highness and his allies to found the recent peace upon a principle of salutary precaution.

"That, whilst we express our satisfaction at the additional means of defence provided for the future security of other states, we cannot but rejoice to observe, that it has been found practicable to combine the measures which Europe owed to its own safety with a system of just and liberal policy towards his most christian majesty:

"That we fully appreciate the wisdom which has guided his royal highness in cementing at the close of the war, an alliance which has conducted the contest in which we have been engaged to so auspicious an issue, and we trust that Europe, under the vigilant protection of that alliance, may confidently look forward after such severe exertions in war to reap, in the enjoyment of repose, the fruits of its long and many sacrifices.

"That on the justice and moderation which his royal highness has proclaimed to Europe, as forming the basis of his councils, and which, we doubt not, will equally animate the councils of the other members of the alliance, we especially rely for recalling the world from the pursuits of war to the milder maxims of civil order and peace.

"To assure his royal highness that he

may rely on the invariable support of this House, not only in maintaining principles so congenial to our own sentiments, and to the genius of the constitution under which we have the happiness to live, but also in giving effect to the several engagements which his royal highness has taken with his majesty's allies, trusting that the result will correspond with the enlightened views which his royal highness has formed for the peace and security of Europe."

Lord *Grenville* said, that on many points connected with the treaties before the House, he fully concurred with the noble earl; and on some others, in which he disagreed, he had repeated opportunities of stating his opinions, nor had subsequent events or reflection led him to retract or to qualify those sentiments. When the usurper of France returned to resume his government, he had been driven to the painful but inevitable conclusion, that immediate war was required, and from this conviction he had urged fresh preparations on the part of Great Britain, and renewed exertions on the part of the allies; as the danger was imminent, the necessity was urgent. In all, therefore, that had fallen from the noble earl upon the justice of those hostilities, and in the warmest tribute that could be paid to the glorious mode in which they had been terminated, he most cordially joined: the result, indeed, had far exceeded his most sanguine expectations, however great had been his reliance upon the gallantry of the forces, or upon the skill of the general by whom they were commanded. Having thus urged the commencement of war, he rejoiced at its conclusion; and in proportion to that satisfaction was his hope, that the peace conquered by the arms might be secured and established by the government of Great Britain. He trusted no less that ministers would take care that the people should enjoy the real blessings of tranquillity, as a reward for the sufferings they had so long and so patiently endured. He rejoiced, no less than the noble earl, that a legitimate government had been once more established in France—not mere legitimacy of birth, but in the true understanding of the word, that legitimacy which was founded upon the principles of the constitution, upon the condition of the people, and upon a due regard to the various ranks and divisions of society. In that sense he held the present government of France to be legitimate, without more regard to the question of birth than had been shown in our own revolution, where the regular succession had been abandoned, for the sake of supplying a government legitimate by the laws and constitution of the country. What previously existed in France was a military usurpation, inconsistent with the rights of men; what now was restored was consonant with the liberties and privileges of all classes. A final overthrow had now, he hoped, been given to the triumph of those principles avowed during the French revolution, which had for their object, not the maintenance, but the destruction of social order and happiness. Resembling only in name that memorable revolution of this country, by which all contests were decided, all dissensions reconciled, and all wounds healed, the French revolution, while it inflicted upon that devoted nation a greater mass of misery than had ever before been endured, scattered desolation and anarchy over surrounding countries. As a friend of liberty, therefore, he most ardently rejoiced in the destruction of those detestable and slavish principles, and in the restoration of social order and a representative government. The great abstract questions that might have arisen upon these treaties, were now narrowed to a mere inquiry relative to the interests of Great Britain: and those parts of the treaties which guaranteed the maintenance of tranquillity were as much the subject of his eulogy as of the noble earl's, because all men must agree, that in them the happiness of this country was more peculiarly consulted.

The first point that naturally arose out of this part of the subject was, whether we had a right to interfere for the more effectual attainment of this object; and it was his firm conviction, that not only the happiness, but the safety of England, depended upon the interposition of foreign powers in this respect. He begged the House to advert to the Revolution of 1688, the principles of which would amply justify any steps this government might take with regard to France, in order to prevent the possibility of a speedy renewal of hostilities. Did not our great deliverer, with no vested right, and no claim to the Crown but the people's will, land upon the British shores with a foreign army? He thought that not only the interest of this country, but the safety of Europe, depended upon his measures. He came to drive away an odious tyrant and the pensioners of France. He claimed to be in his own words, *vindex securitatis Europæ, assertor libertatis Britanniæ;* and it was for some time a matter of doubt, whether it would not be necessary for him to do that which of late had been so severely reprobated, namely, to call in the aid of a foreign army for the final establishment of the liberties of the country. In the present case, as the war was necessary, it was just, and the conqueror had a right, by the law of nations, to impose upon the conquered such terms as would prevent the recurrence of the evil, for the remedy of which the war was undertaken. For these reasons, upon this important point he had never entertained an opinion opposite to that of the noble earl; and upon some of the minor questions, respecting the restoration of the monuments of art plundered in the spirit of the most uncivilized barbarism, he had entertained as little doubt. The propriety of returning them to their real owners did not depend upon the intrinsic value of the objects themselves, but upon the importance attached to them by the vanity and vain-glory of the actual possessors. The motive that had induced the French to concentrate these works in Paris was not a love and reverence of the arts; they had been seized and borne away as the spoil, and in the insolence of conquest: their pride was gratified by this humiliation of mankind. The exaltation of themselves by the debasement of other nations was the ruling principle of French revolutionary policy; and in this view it became a matter of moment to remove this food for vanity, which, instead of satisfying, only excited a fresh appetite for conquest and domination. By this removal, also, a moral lesson had been read to the people of France on the respect due to property, while the dignity and independence of the other nations of Europe had been effectually asserted. His lordship even regretted that, by the delay of this retribution, a shadow of doubt had been cast upon its justice. He wished that it had been made one of the articles of the capitulation of Paris. The exercise of the right of conquest would thus have spared the king the pain and odium of an unwilling resignation.

The noble earl had said much upon the disinterested conduct of Great Britain, more particularly in the negociations at Vienna; but either this country had objects to attain which she ought not to have relinquished, or it was idle that her minister should attend deliberations in which she had no concern. That the general security and independence of Europe was to her a matter of the first magnitude, he would be the last to assert; for, that the continent could be enslaved while England was free, was a notion that could not enter the imagination of the wildest politician. The questoin regarding the Netherlands was to her of the utmost consequence; but what importance could be attached to the possession of the Ionian islands, he could not conjecture, unless they were to be used as an excuse for the enormous military establishment that ministers were endeavouring to maintain. In his lordship's judgment, not a regiment, not a single British soldier, ought to be stationed in them; and the only reason yet assigned was of rather a singular nature—that, because those islands were to enjoy the benefits of British dominion, they were, like the parent state, to be afflicted with a standing army.

Here the noble lord took a comprehensive view of the reasons which should have urged the allies materially to abridge the territory of France upon the conclusion of the peace. The necessity of such an abridgment should indeed have particularly occurred to the government of this country: for the events not only of the last twenty-five years, but the experience of a century and a half, demonstrated that necessity with a view to the peace and security of Europe. It was quite a mockery to say that we should have declined to press for that abridgment from any delicacy towards the king. France waged war against us, and when victorious, it was our policy and duty to have made such provisions as might serve to secure the future and permanent tranquillity of Europe, whether peace were concluded with Fouche, or Carnot, or the king; and these provisions could not be made with effect without reducing the territorial possessions of France: yet the favourable opportunity for such reduction was lost. The extent of the French power was exorbitant, and ought to be diminished; but speaking of the contest in which the allied powers had been recently engaged, it was seen that every power of Europe had armed itself at all points, not as if the liberty of each individual state was at stake, but the liberty of all was to be decided by the issue of the tremendous contest. If it were true, that what was called the balance of power was necessary to the security and repose of Europe, he would ask, whether that desirable object was secured by the treaty of Utrecht? Most certainly it was not. Every man knew that the foundation of that inordinate power which rendered France conspicuous for her military prowess, was laid rather by the principles produced by the personal vanity of her rulers, than the desire of promoting the happiness of their people, and the true glory of their nation. It was the personal vanity of Louis 14 and the like motives of Buonaparté, that heaped so much unhappiness and misery upon the French nation, by that detestable military spirit which they had respectively encouraged. A principle which was invariably promoted and indulged at the expense of some neighbour. It was an eternal disgrace to this country that we had not used those means which we had in our power, at the treaty of Utrecht, of restoring the independence of Europe. We had sacrificed the happiness and security of Europe, for petty commercial advantages of our own. From that period up to the present, we never had such an opportunity of asserting that which ought to be the glory of this country—we never had such an opportunity of curbing the invincible ascendancy of France. At a late period, indeed, that opportunity had again presented itself, but it was again neglected. Why was this done? The noble earl said, that the abstinence of government upon this subject proceeded from a liberal policy. The liberal policy of this country ought to consist in providing security for the nations of Europe against those aggressions which had nearly overwhelmed them. But he denied that this liberal policy had been pursued on this occasion. It had always been considered as a matter of the most pressing policy, to unite the powers situate on the northern frontier of France, as a means of imposing a barrier against the paramount power of that enterprising nation. This arose from the unjust aggressions of Louis 14, who, without a shadow of right, made himself master of those territories. England, Holland, and Germany were interested in guarding against the encroachments of France in that quarter. History had shown how vulnerable that barrier was to the French arms, when the humour of the monarchs of that country prompted them to invade it. But, notwithstanding the examples which history afforded of the necessity of guarding against the enterprising spirit of France at that point, it had been now totally neglected. So conscious was the emperor of Austria of its weakness, that when he had an opportunity of resuming his dominion over the Netherlands, he declined it, tempting as it was to him in every point of view, because he knew the difficulty of retaining his sway. As matters at present stood, the king of the Netherlands was left in so unprotected a state, that his very capital could be taken by a French army in a few days. But what was the apology for this want of caution? Why, it was said, that to exact any territorial cessions, would inflict such a wound, that the people of France would never forget so great an injury; that it would endanger the peace of Europe, and afford a pretext for the renewal of war at no distant period. What! was it putting an injury upon France to make her give up those territories, which had been acquired by blood, by slaughter, and the most hideous crimes? But really the apology was quite fallacious; for if it was from tenderness to the feelings of the French people that this moderation was shown, how came it that she was compelled to pay a contribution towards the expenses of the war—a condition of all others the most humiliating? And how came it that she was to have an army of 30,000 British soldiers, not only quartered in the heart of their country for five years, but that they were to maintain those troops at their own expense? If such a doctrine as this was carried to the extent now contended for, it must go this length, that the ill-gotten territory of France in times of prosperity, and in the plenitude of her power, must never be restored, when, by the interposition of Providence, she was reduced to sue for mercy from those nations she had so much injured, truly, lest her feelings should be hurt, and her pride humbled! Such a doctrine as this he should ever deprecate; for it was the very opposite of that which formed the leading motive for carrying on the late war. For his own part he did not approve the policy of compelling France to pay a contribution, not because he was unwilling that she should be humbled, but from a conviction, that it would be the occasion of heaping more miseries upon a people who must already be ground down by the devastations and the ruinous expense of a long protracted war without attaining any solid advantage to Europe. As a measure of policy, it was inconsistent with the principle laid down by the noble earl. It was fit that France, as well as the other nations of Europe, should enjoy some of the long promised benefits of peace; but by this course she would not only be exposed to all the humiliations of the condition itself, but to new taxation worse than that which she had already experienced, in order to sustain the burthen.

With respect to the military occupation of France by British troops, it was said that this would not cost this country any thing. Nothing was more fallacious. It was true, that France was bound by treaty to pay the expense of maintaining those troops for the time they should be there; but how did it happen that not a word of that was mentioned in the statements coming from ministers upon the subject of the expenses of the peace establishment of 150,000 men? For his own part, he thought that if such a military power ought to be maintained in France (for which indeed there was no necessity) it would be more wise, more constitutional, and more expedient, that those troops should be paid by the British government, France handing over to the British treasury the means of sustaining them: for it should be recollected that the troops so stationed would be out of the reach of parliamentary control, and, what was above all the greatest evil, they might become the very cause of that mischief, to guard against which their presence was deemed necessary. It had been lately said, and he was surprised that the observation came from the quarter it did, that the greatest evil at present existing in Europe was the enormous extent of the military establishments maintained by the respective powers composing the nations of that portion of the globe. Amongst the important benefits to be looked for from the restoration of peace, the first that presented itself, was the abandonment of those destructive and ruinous establishments, which had brought so much misery upon mankind, and had shaken the throne of one of the most distinguished monarchies of Europe. It was unnecessary to name that monarchy: it had tottered on the brink of ruin, purely from this love of military renown. If the cause of humanity, of peace, and universal harmony, was the avowed object of the late struggle, the result of the contest had shown that these were mere high sounding words. This was the test by which the intentions of the allied powers of Europe should be tried. If these were the motives of the illustrious monarchs in the great contest, why had they not reduced those standing armies, which were the bane of all order and happiness amongst mankind? This was a sacred duty which they ought to have performed, if their intentions were pure. This it should have been their common object to accomplish. Had they entered into one general resolution to put down that military spirit which unhappily prevailed in Europe, then indeed they might be truly called the benefactors, the saviours of mankind. Standing armies had been the ruin of the most renowned nations of the world. It was the military genius of Rome in her latter days, that hastened her fall, because it extinguished the voice of liberty. The policy of Louis 14 had subverted the free constitution of France — for France had once a constitution; and it was the standing army of France, and the despotism that accompanied it, which deprived the unfortunate Louis 16 first of his power, next of his crown, and lastly of his life. If there was any nation of Europe which ought to have been foremost in holding up to execration such a principle, it was England. But how opposite was her conduct to those motives which she, above every country, ought to pursue? To reduce the military power of France was always the pretext for our exertions, our armaments, our expenditure of blood, and the exhaustion of our finances. But how baneful had been the contagion which now unhappily prevailed in Europe! Britain, the palladium of liberty, while she was pursuing steadily the steps of her neighbours in military renown, was pursuing with equal pace that destruction which was consequent upon military government. By the conduct she was now adopting, she was violating every principle of policy which had rendered her name great among the nations of the world—she was pursuing a course, which at no distant period must revivify those calamitous contests which had deluged Europe with human blood—she was recognising principles which must perpetuate the misery of mankind and continually embroil herself in contests with those nations whose short-sighted policy she was so desirous to emulate. It was this policy which rendered it necessary to have a standing army in a time of profound peace — to keep an army of 30,000 men in France. Could any man doubt that this was a part of a settled system to raise this country into a military power? He had no doubt of it—it was the firm conviction of his mind. If this were not so, why was it necessary to double the army for Great Britain?—to double the army for Ireland, and keep a force of 30,000 men upon the coast of France? This, it was said, was done to balance the military power of the Continent! Could it be believed that such an answer could be given in a British senate to such questions? As long as he had a voice he would raise it in deprecation of so ruinous a policy. This was not one of the military powers of Europe—it had never been the policy of England to keep pace with the continent in military fame. It was not by such emulation she had attained her present greatness. Unhappily for her honour, she was now pursuing a spirit, which all history had shown to be the source of rivers of blood—to be the destruction of all noble feeling, and the bane of constitutional liberty. The noble lord concluded by moving the following by way of amendment:

"That an humble Address be presented to his royal highness the Prince Regent, to assure his Royal Highness, that after so long a period of the most sanguinary revolutions and wars, no event could be more gratifying to our feelings, than the establishment of universal tranquillity; and no wish nearer to our hearts than the permanence of a blessing so ardently desired and so dearly purchased. But that in proportion to our solicitude for the continuance of peace, is the anxiety and alarm with which we view the means adopted for its security; by continuing to maintain in arms a great allied force, and by holding in military occupation the frontier of one of the powers so lately belligerent. In these stipulations we recognise nothing of a pacific character. To our minds this measure still presents the fearful image of war, suspending indeed for a time its ravages, but prepared at every moment to renew them with increased activity. It tends, we fear, to keep alive and to inflame every hostile passion; and to prolong the animosity of an enemy, overpowered but not weakened, humiliated but not reconciled. These precautions, professedly temporary, have indeed provided nothing for permanent security. They expose to the greatest hazards, that union by which alone our deliverance was achieved. And by an unexpected call for continued exertions, and fresh sacrifices, they aggravate every where that dreadful pressure which has already nearly weighed down all European nations.

"Under any circumstances, and for any purposes, we should deeply have lamented, that our times should be the first doomed to witness the new spectacle of the assembly and maintenance of such a force, as the necessary and stipulated accompaniment of a treaty of general pacification; from the cordial co-operation of the allies, and from the brilliant successes of their arms, we had indeed cherished other hopes. Every motive, both of justice and of prudence, required, as we thought, the limitation of the power of France, proved by reiterated experience, so formidable to the liberties of Europe. When this had been effected, we trusted that a great reduction would have been agreed upon by general consent, in the enormous and disproportionate military peace establishments, which during the last century, a jealous and most improvident competition had carried almost universally to an extent destructive of the best interests of civil society. Next to the cessation of actual warfare, this was the highest benefit which peace could have conferred upon Europe—the best pledge of the mutual union and confidence of her sovereigns—the best reward for the merits and the sufferings of their subjects.

"To originate, to recommend, to accomplish a concert of such great and universal advantage, would have been the utmost glory to which in these negociations Great Britain could have aspired. It was consonant to the long usage of our government—to the moral feelings of our people—to the pressing calls of our financial system, and, above all, to the fundamental principles upon which alone our constitution stands. We see, then, with the most profound affliction, that instead of successfully urging this policy on others, we have now ourselves abandoned it. We cannot repress our own feelings, and we judge from them the feelings of our country, when called upon to concur in carrying the opposite principle to an extent hitherto unthought of, even in the most military governments; maintaining in peace, and in the territories of a foreign power, a great military force in constant preparation for action.

"We humbly assure his royal highness, that we shall at all times be most anxious to support and uphold the high station of our country in the eyes of the surrounding nations; but we beg leave to represent, that this station never has been that of one of the great military powers of Europe. It is by a contrary system that we have risen to prosperity and greatness. These are, under Providence, solely to be ascribed to the influence of a government, founded in freedom, and maintained by the arts and institutions of peace. We know not how a great and permanent military establishment, continued after the termination of the war, for which alone it was created, can ever be made consistent with the principles of such a constitution, or the security of such a government. History affords no such example, and in our own country the experiment has never before been attempted. The happy advantages of our situation, and our sedulous attention to the sources of maritime defence, have hitherto preserved us from it. To prevent any such necessity was among the most powerful of the motives for all our exertions and all our sacrifices. And urgent, indeed, must be the reasons which could now reconcile us in victory and triumph to the adoption of that very system, to avert which we did not hesitate to hazard our existence."

The Earl of *Harrowby* supported the address at some length. He argued against the policy of demanding territorial cessions from France, as this would have implanted perpetual hostility in the breast of the whole French population. He saw no reason why a pacific feeling might not now arise in France, similar to that which so long preserved the peace of Europe after the treaty of Utrecht. If France had not been allowed to retain the fruits of her ancient military glory, there was not probably a Frenchman who would not have sighed for the resumption of hostilities, that an opportunity might be obtained of re-conquering them. The noble lord had recommended, that all French Flanders should have been given to the Netherlands; but how was the army of that state in a capacity to occupy frontier towns of that province, and supply the place of the large army now on the frontiers of France—one object of which was to secure the king of France on his throne? As to the war contributions, their pressure on the French people would indeed be considerable; but they were much less likely to set them against their legitimate government than the cession of a large portion of territory. On this point the two successive administrations in France that had the conducting of the negociations were equally agreed.

Lord *Holland* supported the amendment in a most eloquent speech, of which, from the lateness of the hour, only a faint outline has been preserved. He said, he felt it absolutely necessary not to give a silent vote on the present occasion. Though aware that the principles and policy of the late war had been supported by parliament, he was ready to acknowledge himself averse to both, and should regret to the latest moment of his life, that he had not last session, in consequence of his absence, an opportunity of expressing the views he entertained on that subject. It was not because he disapproved of the war that he should now vote for the amendment of his noble friend; but because he conceived that a new principle was meant to be acted upon, different even from that on which the war was defended. It was clear we were not to have a peace establishment in the true sense of the word. For could that be called a peace establishment when we were to keep on foot as large a body of troops to preserve, forsooth, the Bourbons on the throne of France, as we had ever done at any former period to oppose the ambition of this same family? It was an establishment which would cost twelve millions; and was larger, in fact, than the one we supported during the whole of the American war, and even during the war of the French revolution up to 1796; and this after we were told that we had effected all our objects. Either the grossest delusion was practised upon the people, or they could not be congratulated on such a peace as this. The noble lord opposite had taken credit to himself and his colleagues, for having re-established the Bourbons. He, however, very much suspected, that the restoration of that family in 1814 was a complete farce, and entirely owing to the presence of foreign bayonets. If in the year 1745 a French army had landed and established the pretender, he, had he been alive at that time, might have submitted, but in his heart he must have detested the usurper; and if any thing could have added to that detestation, it would have been his being forced on the country by foreigners. If the people of France were really reconciled to the Bourbons, he had no doubt the latter were likely to take the first opportunity to break the treaty. The whole history of that family showed that they had not only the deepest hatred of England as a rival, but the deepest hatred of our laws, our religion, and our liberties. A noble diplomatist had stated, that the virtues of the present sovereign of France were the best guarantee of the treaty. But as there were only four persons, without issue, between the throne of France and Ferdinand of Spain, the same noble lord would hardly state that the virtues of the latter were also the best guarantee. Lord Holland proceeded to ridicule the idea thrown out, that three fourths of the people of France were for the Bourbons. Were that the case, the remaining fourth must be most extraordinary men indeed, both in talents and resources. This fourth had lost a great deal of blood at Waterloo: 9000 of them, some accounts stated, were in prison in France. He had heard at least, that 9000 rations were daily served out to prisoners there; at any rate, it was notorious that there had not been so many persons in confinement there since the days of Robespierre. But still, after all, this wonderful fourth required 150,000 allied troops, in addition to all the other population of France, to keep it down. The noble lord said, that the doctrine of legitimacy, by divine right was impious, and denied that the Bourbons were legitimate princes in the true sense of that word, as being objects of the constitutional choice of the people. The present sovereign was, in fact, the English king of France, and had just the same right to the crown as Joseph had to that of Spain—the right of force. Before we undertook the job of supporting the Bourbons, we ought certainly to consider the cost it would entail on this country. The noble lord, amidst a variety of other observations, adverted to the sending of Buonaparté to St. Helena, which he characterized as unjustifiable and ungenerous. He had no wish to screen the political delinquencies of that man; but he was convinced, that had he been descended from a line of princes, most of them perhaps as mischievously ambitious as himself, he would have received a different treatment. This treatment he contrasted with that which the captive king John of France had experienced from Edward the black prince, after the battle of Poictiers, as described by the historian Hume.

The Earl of *Blessington* spoke shortly in approbation of the measures pursued by his majesty's government and their illustrious allies, and maintained, that to secure the Bourbons on the throne of France, was the only way to secure the repose of Europe.

The Marquis of *Lansdowne* spoke at some length in support of the amendment. He contended, that the precautions adopted against France were dangerous and unconstitutional, and that the security expected from them would prove a delusion. They had also involved us in contradictions, for ministers had disavowed any intention of putting the Bourbons upon the throne by force; and he could not see any difference between that and keeping them there by force, a course which was evidently their intention. He said, that ministers had two sets of arguments, one representing the country as secure in having obtained the objects of the war, and the other, to obtain a large peace establishment, representing the country as still insecure. It was, he observed, a melancholy fact, that in order to support the extravagant peace establishment proposed by his majesty's government, a sum was required, equal to half the income derived by the whole country from real property, trades and professions. Nor was it a matter of less regret to observe the preponderance in that establishment given to the military, to the almost total oblivion of the navy, to whose exertions the country was so deeply indebted.

Earl *Bathurst* observed, that with respect to the peace establishment, about which so much had been said by the noble lords in the course of the debate, as the time was fixed for the regular discussion of the subject, founded on the papers lying on the table, he would abstain from touching upon it at present. With respect to the question immediately before their lordships, it would not be necessary to take up much of their time after the very able manner in which it had been explained by his noble friend. He was not surprised to find that by one noble lord the utmost satisfaction had been expressed at the restoration of the Bourbons to the throne of France, nor was he surprised on the other hand, that by another noble lord the utmost concern had been expressed on the same occasion. The joy and the sorrow were equally natural. He confessed that he had listened with great curiosity to the noble marquis who had just sat down, to ascertain his sentiments on the same subject; but, as far as he could collect, that noble marquis had no opinion upon it. With respect to his noble friend (lord Grenville), who had expressed his pleasure at the restoration of the Bourbons, it was natural that, holding the opinions which he had held on the French revolution, he should feel the satisfaction which he had described. On the contrary, it was natural that those who, in spite of the experience of five and twenty years, still admired that revolution, should feel regret at an event so fatal to the system in which it had proceeded. Those who were averse to the revolution, and considered the atrocities which followed it as its natural consequences; who deemed those atrocities the particular verifications of the prophecies which had been delivered by a man whose wisdom was equalled only by his eloquence, must experience the greatest pleasure at the overthrow of the offspring of that revolution, and at the re-establishment of the Bourbons, in the person of Louis the 18th. But whatever might be the difference of opinion on this subject, it was unconnected with the charge which had been made by the noble baron, and supported by the noble marquis, against his Majesty's government of having in the part which they had taken in the restoration of the Bourbons, acted in direct contradiction to their own declaration. It was imputed to his majesty's government, that in their declaration they stated that they would not interfere with the settlement of the government of France, and that, provided Buonaparté were dethroned, they should be perfectly satisfied. It was no such thing. The declaration of his majesty's government was, that the overthrow of Buonaparté was an indispensable condition of peace, but they did not bind themselves to consider the restoration of Louis the 18th as the *sine quâ non* of peace; although they declared, that, in conjunction with their allies, they would do all they could to effect that restoration. In this case how were we inconsistent? When Buonaparté was defeated, with whom ought we to have treated? With the provisional government? It acknowledged the authority of Buonaparté, and to treat with it, therefore, would have been contrary to our declaration. With the son of Buonaparté? That would have been contrary to our declaration. With the legislative body? That emanated from Buonaparté, and to treat with it therefore would also have been contrary to our declaration. With whom could we, with any consistency, have treated for peace but with the individual with whom we actually did treat—Louis 18? Had our original declaration stated that we were perfectly indifferent as to the occupier of the French throne, we could have done nothing but that which we did; for Louis the 18th was the only individual possessed of legitimate authority; and to have attempted to treat with any one else would have shown a most partial and unjustifiable spirit. The noble baron seemed altogether to have forgotten another part of the engagement into which this country had entered with the allied powers. We formed the alliance on the principle of dethroning Buonaparté, and not of dismembering France. On the contrary, it was distinctly declared by the allied powers, that the dismemberment of France was not their object. It was true, that the allies were not bound to the king of France on this subject; but they were bound to each other. How, then, could this country, after having induced the powers of the continent to form an alliance on this principle, turn short round after the victory of Waterloo, and altogether forgetting the principle of the confederacy, proceed to that dismemberment which we had declared it was not our object to effect? Besides, putting out of the question the fact that we had engaged not to dismember France, it was evident that no diminution of her territory would have been advisable, except we had gone such lengths as to alter the relation in which she stood to the rest of Europe. Had any other government indeed been established but that of Louis the 18th, the securities which we had obtained might not have been considered sufficient. The noble baron had objected to the means used by this country at the present moment to maintain the Bourbon family on the throne of France. He seemed to think that peace having been made, it was unnecessary for us to exert ourselves for that purpose. But if it were admitted, which it must be, that our present securities against the ambition of France would be insufficient, were any other individual at the head of the French government but Louis the 18th, it seemed naturally to follow, that it was most essential to our interests to maintain his authority. "But," said the noble baron, "I can prove that Louis the 18th holds his crown against the wishes of the French people." Let their lordships reflect on the present state of France. The whole of the French army had been disbanded at the request and solicitation of the allies: who would not sign the treaty of peace until they were so disbanded, and who previously went the length of declaring, that unless they were voluntarily disbanded by the French government, they (the allies) would break the convention and disperse them by force of arms. Having been the means of their being disbanded, the question was, whether we were to leave the king of France exposed, without any protection, to all the dangers of which we had been the cause? Was it because the French army was disbanded that the very next day they would not, but for the presence of superior strength, have had the means of assembling again in force? Was the king of France to be left defenceless amidst a body of troops irritated by his treatment of them? Or was it to be held as a proof that the people of France were inimical to the king, that a disbanded army was dissatisfied with him? The noble baron had proceeded to argue, that in the existing chamber of deputies he did not conceive that the people of France were fairly represented. This was a similar argument to that which had been so frequently urged in this country. It was the common language and the consolation of the noble lords opposite, and those who thought with them in another place, that they were the only persons who spoke the sense of the people. The statement of his noble friend on this subject had been perverted. He had never said that a considerable number of members of the assembly had been added, for the purpose of creating a majority in favour of the present government of France. What his noble friend had stated was, that a tenth in number had been added, but that a greater number, to the amount of two-thirds, had voted than were accustomed to do so under the former government.—The noble earl concluded, by enforcing the fallacy of the observations which had been made on the charges attendant on our colonial possessions, contending, that in most cases those charges were directly defrayed, and that where they were not so, the indirect advantages which this country derived from the extension of her commerce and manufacturers amply compensated for the expense.

Lord *Holland*, in explanation, disclaimed the approbation of revolutionary principles, and the excesses committed in their name.

Earl *Bathurst* denied that he had made such an imputation.

The Marquis of *Buckingham* rejoiced at the restoration of the Bourbons, because he felt that France and the rest of Europe had a better chance of tranquillity under their reign, than under that of Buonaparté. He must at the same time object to the system of retaining and exchanging fortresses, which we had adopted, as he thought it more likely to prolong than suppress jealousies that ought to be appeased. He would also enter his protest against the maintenance of a standing army in time of peace, and against that military system which was about to be cherished in this country.

The Marquis of *Ormond* supported the address.

The House divided:

For the amendment	40
Against it	104
Majority	—64

The original address was then agreed to, and their lordships adjourned at half past two o'clock.

Protest of Lord Holland against the Address in Approbation of the Treaties.] The following protest was entered on the journals by lord Holland:

"Dissentient,

"Because the treaties and engagements contain a direct guaranty of the present government of France against the people of that country; and in my judgment imply a general and perpetual guaranty of all European governments against the governed. I hold such a design to be unlawful, I believe it to be impracticable; and, recollecting the principles on which the Revolution of 1688 and the succession of the House of Hanover were founded, I cannot give the sanction of my vote to a system which, if it had prevailed in those times, might have deprived this kingdom of all the benefits that have resulted from a national government and a free constitution.

(Signed) "Vassal Holland."

HOUSE OF COMMONS.

Monday, February 19.

Clerk of the Pleas in Ireland.] Mr. *Brougham* wished to know whether there was any truth in the report, that the son of the chief baron of the court of exchequer in Ireland, had already been sworn into the office of chief clerk of that court, by his father?

Mr. *Peel* had no objection to state, that he had reason to believe that the chief baron had so sworn in his son.

Mr. *Brougham* could not avoid expressing his feelings with which he thought every person must be impressed—on being apprized of this fact. The House, he thought, must feel the propriety of taking some step to mark their sense of this extraordinary proceeding on the part of the chief baron—of a common law judge.

Mr. *Peel* said, there could be no doubt that the House had a right to regulate the office, in any manner they might think proper. With respect to the delay that had taken place in proposing any measure, it was occasioned by a wish to ascertain what the legal fees of the office were. Before this was fully known, it was not possible to bring forward any plan for regulating the situation.

Mr. *Brougham* said, that no man could feel more strongly than he did, the necessity of delay for the purpose mentioned by the right hon. gentleman. He merely rose to express his astonishment at the very extraordinary conduct of the chief baron—at the extreme readiness which he displayed to fill up this office, before any regulation of it had taken place, and absolutely swearing in his son, without any previous notice whatever.

ACCOUNTS OF OFFICES IN THE COLONIES.] Mr. *Lambton* said, it would be in the recollection of the House, that a right hon. friend of his (Mr. Tierney) had on a former night impressed on the House the necessity of economy in every department, without which it would be impossible for the country to proceed. Some doubts were then expressed, whether his Majesty's ministers attended sufficiently to this principle, and the consequence was, that an hon. gentleman opposite expressed great indignation at the suspicion which was thus thrown out. He was of opinion, that this suspicion was justly founded. The House and the country must bear in mind the expressions relative to economy, which were contained in the speech from the throne. Ministers, with the word "economy" in their mouths, but with extravagance in their hearts, had placed a falsehood in the speech of the Prince Regent. They had put a pledge of economy in his royal highness's mouth, which they afterwards deliberately falsified. Under these circumstances, it was necessary that every part of the peace establishment should be scrupulously examined. With a view to this object, the hon. gentleman moved, for "An account of all offices, civil and military, under the influence of the Crown, in the island of Malta, the Ionian Islands, the Isle of France, the islands of St. Lucia, Tobago, &c. and the emoluments connected with the same; also for an account of all places, the appointment to which was vested otherwise than in the Crown, together with the salaries thereof."—Agreed to.

PROPERTY TAX.] Mr. *Baring* requested to know, whether there was any truth in the report circulated in the course of the morning, that it was the intention of the chancellor of the exchequer to withdraw his measure respecting the renewal of the property tax.

The *Chancellor of the Exchequer* stated, that this was the first time the report had reached his ears, and that it was totally without foundation.

Mr. *Brougham* moved, "That there be laid before this House, an account of the number of persons in the city of London assessed to the income tax, and the number of surcharges and assessments, distinguishing those for the year ending the 5th of April 1815, and those for the three quarters ending the 5th of January 1816, the number of appeals, and the number of such appeals as have been successful."

The *Chancellor of the Exchequer* thought it an objection, that the motion did not distinguish the different shapes of the property tax. Most of the appeals for 1815 were not yet decided, and therefore could not be returned. Those up to the 5th of April last, however, might be produced, but perhaps they would not answer the object of the learned gentleman.

Mr. *Brougham* was aware that those difficulties existed, and had framed his motion accordingly. He only wished to know how many appeals had been successful or had failed. Those that were not yet decided would of course not be returned. He had so couched his motion as to render compliance with its request easy. He had not confined it to persons subject to the property tax for commercial income, but to all descriptions of revenue.

The *Chancellor of the Exchequer* observed, that he had applied it to the income tax solely, while he seemed to wish to embrace the property tax.

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Mr. *Brougham* said, that he meant the union of those two taxes. He had chosen the name as more descriptive of the whole, as it was, in fact, a tax upon income, and not a property tax.

The motion was then agreed to.

Address upon the Treaties with Foreign Powers.] The order of the day being read,

Lord *Castlereagh* rose, and observed, that if the information contained in the treaties which his royal highness the Prince Regent had ordered to be laid before that House was of a less complicated and extensive nature, and if the peace which had attracted the attention of parliament and the world had been less bound up and mixed with other treaties and negociations, it would have been his wish on that, as on other occasions, to leave to some other member of the House the task of moving an address to the throne upon the subject of them. He thought, however, that he should best consult the course of his public duty, and the course which would be most acceptable to the House, if, under the peculiar state of those multifarious transactions, he took upon himself the task of submitting the question, in such a way as would be best calculated to bring it under the view of parliament. There were certainly many points of view in which those transactions might be considered; and he apprehended it would be equally unsatisfactory to any individual, or to parliament generally, to offer any opinion upon them, without receiving from some responsible member of the government, a statement of those various arguments and grounds upon which the ministers of this country had advised his royal highness to adopt that line of policy which had been pursued. That was the exclusive principle which induced him, on the present occasion, to open the discussion upon the treaties before the House; and he trusted that he should receive their indulgence in the prosecution of his task. It certainly was his anxious wish to occupy as small a portion of their time as might be compatible with a full and distinct elucidation of the complicated subjects which they had to consider; but he was sure he should very ill consult the discharge of his duty to that House, and to the country, if he were to sacrifice it to their convenience, by abstaining from that ample and complete survey of the whole matter, which alone could enable parliament to pronounce a satisfactory and conclusive opinion. He should, therefore, endeavour to place the question before them, with those bearings, and with those explanations, which would be best calculated to accomplish that object; and he hoped, if he should omit any material point, he would be permitted to correct such error during the discussion, and to enter into such further explanations as might be necessary in support of what he had to bring forward.

Having thus stated those general principles, his next wish was, at the outset to narrow as much as possible the scope and tendency of the particular vote which he should call upon the House that night to adopt. An hon. and learned gentleman had asked on a former night, in what view it was intended by his Majesty's ministers to take the sense of parliament upon those negociations and treaties, and he then stated what were the intentions of ministers. Conformably to those intentions, he should include in the scope of the vote that night, not only the course of arrangements which took place at the Congress of Vienna, but also the whole course of measures which led to the commencement, the prosecution, and the conclusion of the war, as well as the subsequent negociations of Paris. Though, however, the treaty of congress would thus be included in the vote, it would not prevent parliament from entering upon a separate and exclusive consideration of that great measure. He had no wish to abridge or narrow the discussions upon that subject. Certainly, if this country and Europe had never had the misfortune of being involved in the war excited last year by the usurpation of Buonaparté, he should not have conceived himself called upon, according to his conception of his duty, to submit any motion to parliament respecting the negociations at Vienna. Whatever degree of merit or demerit attached to the proceedings of that congress in the opinion of others, he, for his own part, should always be disposed to consider them as wise and salutary measures, taken in pursuance of the treaty concluded at Paris in May, 1814. In the general course of parliamentary practice, it never, he believed, occurred, that government having submitted to parliament a preliminary arrangement, and parliament having pronounced a favourable decision, they afterwards took the sense of parliament again upon any definitive engagements which grew out of those preliminary ones. As an instance, he would remind the House of what took place at the peace of Amiens in 1801. The preliminary treaty was submitted to parliament, and approved of; and lord Cornwallis negociated the definitive treaty upon its basis. The then chancellor of the exchequer, now lord Sidmouth, laid that definitive treaty upon the table of the House, but observed, that as it was only the conclusion of those stipulations recognised in the preliminary one, to which the concurrence of parliament had been already expressed, he did not mean to take the sense of the House upon it. Afterwards, indeed, Mr. Windham, for reasons which he stated brought that definitive treaty under the consideration of the House, in reference to some particular provisions contained in it. He only meant, by citing that example, to show that it was not the customary practice to call the attention of parliament to any definitive arrangements, concluded merely in execution of preliminary ones, already sanctioned by its approbation. He, therefore, wished to have it distinctly understood, that the proceedings of the congress at Vienna were only a definitive arrangement of the treaty of peace concluded at Paris in May, 1814.

The House would permit him to observe, that in not taking its sense as to the measures adopted by the congress, he did not wish to embarrass its independence, or to consider any honourable member as pledged to give to the treaty of Vienna any countenance or approbation beyond what it might be supposed to deserve as completing the arrangements comprehended in the treaty of May, 1814. The House would recollect, that the same technical distinction was observed upon the renewal of the war in March, 1815. When they were called upon to support that war, it was not understood that by so doing they supported any of the principles developed in the congress, or that by voting for the address which was carried to the foot of the throne on that occasion, they necessarily stood bound to approve of the treaty of congress. That subject was still left open to be examined, in any way parliament might think fit. In like manner, though the House would be called upon to express an opinion upon the general scope of the negociations, which terminated with those concluded at Paris last year, it would not be expected that, by so doing, they should be bound to approve of all that was done at Vienna. But, in a complicated and extensive question like the present, it was necessary to start from some great and distinguished point, and none was so obvious and so natural as the Congress at Vienna, which might be considered as an arrangement in which all the powers of Europe had unanimously concurred, and as one upon which the present system of European affairs was established. He was sure the House would feel upon this, as upon all great transactions, the necessity of fixing upon some acknowledged basis as the ground-work of general proceedings. In former times it was usual, when concluding any particular treaty, to recite the provisions of former treaties, such as that of Westphalia, Utrecht, Aix-la-Chapelle, or the treaty of Paris in 1763. The congress at Vienna was now the great point of diplomatic reference; and he wished, in the largest sense of the word, to leave the House perfectly free in their judgment upon that measure. It could not, however, be expected, that any other basis should have been adopted for the negociations at Paris last year, than that of the congress; for even those who might not wholly approve of all that was done at that congress, would scarcely desire that we should have re-negociated at Paris, all that was settled at Vienna.

Having made these preliminary observations, he should next wish to direct the attention of the House, before entering upon the general consideration of the whole subject, to that course of policy which had guided the councils of the Prince Regent both with regard to the military and pecuniary transactions of the preceding year. He meant in a diplomatic sense alone, for he was quite satisfied, that no difference of opinion, existed as to the military glory resulting from the confederacy, or the eminent success which attended all its operations. He conceived that his Majesty's government owed to the House some explanation of the system of policy upon which it had acted. From the very nature of the war, and the character of the enemy with whom they had to contend, the contest was one of that description in which all restricted efforts would have been equally unwise, whether with respect to a sound policy or to economy. Many honourable gentlemen had formed an erroneous opinion of that contest, as if the mass of the French nation were embarked in the cause of Buonaparté; but though that view was erroneous, one general and unanimous feeling pervaded Europe, that it would prove one of the most arduous contests in which the alliance had ever engaged. Whatever doubts existed as to the desperate character of the struggle, they only constituted an additional reason why the government, in any arrangements it might make for carrying on the war, should make them upon the largest and most comprehensive scale. The country certainly was not in a condition to be able to afford the expenses of a protracted war, and therefore it became the wish of government to make the confederacy as comprehensive as possible, not only with respect to the powers included in it, but as to the efforts which each was likely to bring into the field. With that view of the contest, it would have been most unwise to have starved it in any of its parts, or to have abstained from throwing into the alliance all that vigour and energy of exertion, which the liberality of the House had enabled ministers to produce.

The House would see upon examining the great mass of treaties before it, the extent to which all Europe combined. With the exception of Sweden, who was by no means indisposed to unite with the other powers, but who was prevented from so doing by motives of economy, which the other members of the alliance allowed to be a sufficient ground of exemption, there was not a single power on the East of France who was not comprehended in the general league. On the other side of France, also, although Portugal was prevented from immediately joining in alliance, on account of the distance of the Prince Regent from his dominions, there was no power except Spain who was not bound up in that confederacy. The reason why the name of that power was not found affixed to the treaty of the 25th of March (respecting which a question had been asked by an hon. member on a preceding evening) was, because she objected to the form of that instrument, and from a point of etiquette. Not being one of the four principal powers who signed the Declaration of the 13th of March, she declined, from a dignity of feeling, which perhaps ought not to have operated at that moment, to become an acceding party to the treaty of the 25th of March. But, at the same time, she readily made an offer of her assistance to the full extent of her means. With respect to the amount of subsidies which had been paid, he trusted government had pursued that course of policy which essentially contributed to the consolidation of that vast force which was arrayed against France. The general mass of the subsidies paid to the four great powers, as well as to those who afterwards acceded to the alliance, amounted originally to five millions. We, on our part, stipulated to bring into the field 150,000 men, or to pay an equivalent in money equal to the amount of force not actually supplied. During the course of the war, we have kept up, including the Hanoverians, and the corps in Italy and Flanders, between eighty and ninety thousand men, so that we had to pay, in money, for a proportion of troops amounting to about sixty thousand men. The powers of Europe were agreed in opinion, that that sum had better be employed towards the general system of alliance, by subsidizing all the minor powers. The king of the Netherlands received no subsidy, for reasons which were sufficiently obvious, nor did the troops of Switzerland receive any, because they were not actively employed against France. The general rate of subsidy was upon the calculation of eleven pounds two shillings per man. The fourth of the whole subsidies was saved, and the gross amount of them did not exceed six millions.

The House had seen what was the effect of that policy. It had contributed to unite and consolidate a confederacy so immense, that no extent of disaster could have altered the ultimate issue of the campaign, though certainly it might have been protracted. Even if the battle of Waterloo had been as fatal and disastrous to the allied troops, as it proved to the army of France, yet the means which were brought into active operation were so prodigious and so powerful, that the final result of the contest would unquestionably have been the same. It was a general impression felt by every member of the alliance, that no delay should take place which might be avoided. Delay would have given to the character of the war a feature of aggravation and difficulty, which was most anxiously to be deprecated. It was in fact, of the last importance, not only that the success should be early, and that it should be decisive, but that Europe in the prosecution of that great cause, which was the cause of

Europe against usurpation and an attempt to renew military despotism, should act with that strength, power, and unity, which might undeceive the French nation upon a point in which their national vanity was most likely to delude them. Whatever might have been the success of the campaign, if they could flatter themselves that it arose out of any particular concurrence of circumstances, and not from the magnitude and controlling force of the powers assembled against them, there would still have existed a disposition, connected with that national pride which belongs to them, to indulge in those military feelings which never can be compatible with the general repose of Europe. But certainly the character of the battle of Waterloo, together with the arrangements consequent upon that battle, would leave no ground to question what were the motives that brought the whole of Europe against them. It was of great importance to teach France that lesson of wisdom, and there was no Frenchman now who could have a doubt upon the subject. In the last campaign, at the battle of Waterloo, they had had an opportunity of trying their military skill in its highest perfection, against that of England and Prussia, assisted by the troops of some of the minor states. There never was an army which took the field more ample in all the resources and equipments which could give vigour and efficiency; there never was an army which went to battle with a more desperate determination to conquer or to die, than that which Buonaparté led to the frontiers of the Netherlands; and yet, he apprehended, there was no instance in the annals of war (speaking it without any derogation, from the prowess or skill displayed by the French on that memorable day), that could be compared to the manner in which the army of the duke of Wellington, aided by that of Prince Blucher, defeated that army, with such a character of success as could not be found in the most brilliant victories upon record, in any age or country. He should be glad to know what single victory ever led to results so vast and important in a political and military point of view as the battle of Waterloo? The enemy, by that one victory, were absolutely precluded from again appearing in the field, while the victors aproached, in a triumphant march of fourteen days, to the capital of the enemy which they reduced to submission. That battle decided the character of the war; and the fate of the government, and compelled the individual by whose lawless aggression it had been excited, to seek a refuge from destruction in the very country which he had designated to ruin. He did not think that he indulged in any excess of national exultation, when he thus described the unparalleled character of the battle of Waterloo.

Having stated these grounds of the policy upon which his majesty's government proceeded, the noble lord trusted the House would feel upon that branch of the question little or no difficulty in coming, to such an opinion, as would enable them to go to the foot of the throne with an unanimous expression of sentiment. There never, perhaps, existed an instance of a confederacy to such an extent of military strength combined with so much military order. It appeared, from the circumstance of a return which was made of the effective force, in consequence of an arrangement made with the French government who were to furnish the necessary equipments and clothing, that there was actually an allied force, concentrated within the territory of France, after the battle of Waterloo, amounting to 1,240,000 men. He could assure the House, that the numbers were not overrated, for the returns were most scrupulously checked by the duke of Wellington, who was appointed to conduct the arrangements in question. In addition, however, to that force there was also in movement against France different corps of large magnitude. There were 100,000 Austrians marching towards the Rhine, and 150,000 Russians, the head of which column was already advanced beyond the Elbe in Franconia. There was a point to which he wished to allude, while mentioning the co-operation of the latter power; and he was the more bound to mention it in honour of that power, because there seemed to exist a disposition on the part of this country to view its general character and proceedings with jealousy. For his own part, he certainly saw nothing which could justify that jealousy; on the contrary, in some points of policy which were almost cardinal in the system of Russia, he had observed a strong disposition to consult and promote the interests of Great Britain. The conduct of Russia, with regard to the Ionian islands for instance, was an instance of that disposition which he had mentioned. He could not indeed, but consider it as an unfair degree of jealousy which we attached to that power, because of its vast resources, its numerous population, and its extensive territory, as if therefore it was necessarily disposed to play a game of ambition, which threatened the permanent interests and security of Europe. It became him, however, to pay a fair tribute of acknowledgment to the eminent services which it performed towards promoting the general objects of the confederacy. By the stipulations of the treaty of the 25th of March, she was under no further obligation than that of bringing into the field 150,000 men, a number which the emperor in the first instance increased, and ultimately augmented to not less than 250,000. The duke of Wellington saw 150,000 Russians reviewed in the plains of Vertus, all under arms; and his grace declared that he had never seen an army better equipped, more perfect in discipline, or exhibiting altogether a more martial and soldier-like appearance. It was his duty to state that that increased and most important force was brought into active service by the emperor of Russia without even an attempt on the part of this country or that of his Imperial Majesty, to establish any pecuniary negociation. He had actually put 100,000 men in motion, and they were considerably on the advance towards the French frontier before any arrangements were made to give him that subsidiary assistance which had already been bestowed upon the lowest of the minor powers embarked in the general confederacy. He must say, therefore, that it was not good policy to anticipate imaginary dangers from the military strength and resources of Russia, when they had hitherto been employed only in the public cause of Europe. It was not wise to provoke the suspicions of that power by such imputations upon its views.

With respect to the combined efforts made by all the members of the alliance, he should not overstate them when he said, that if the war had continued two months longer, there would have been a million and a half of soldiers in France to carry on the contest. So large a host, composed of the military of various nations, might be supposed to have a tendency to produce those evils inseparably attendant upon the movements of hostile armies; but it was not among the least of the objects which occupied the attention of the allied sovereigns to introduce into their corps a strict and rigorous discipline, which might restrain all excesses. It was impossible, perhaps, to do that in the early stage of the transaction, in such a way as should prevent all just grounds of complaint in the districts where they happened to be; but even in those districts the evils complained of arose principally from the circumstance that the peasantry were alarmed at their approach, and did not remain in their houses to administer those supplies which were required. After some time, however, a degree of order was introduced, no less creditable to the armies themselves than to the civilised times in which we live. There was no instance in history of ten or eleven hundred thousand men being thrown into a country as they were in France, living at the expense of that country, and yet without any marked instance of indiscipline occurring; on the contrary, though there existed many powerful feelings of resentment in some of the troops, arising out of the circumstances under which the spoliations and subjugations of France throughout Europe had been carried on, a general spirit of benevolence and clemency animated the whole confederacy towards their vanquished enemy.

Not, however, to detain the House longer with that subject, he wished to draw their attention more pointedly to that particular point on which, he apprehended, whatever difference of opinion might arise, it would be found principally to turn. In adverting to the line of policy which was pursued, it was necessary he should observe, that a great distinction existed between the peace of the preceding year, and that which was afterwards concluded. For his own part, he should never forget the generous and disinterested conduct of the allies towards France in the year 1814, though, perhaps, if looked at in conjunction with the events that afterwards occurred, it might be wished that it had never been adopted. But what human transaction would bear to be so considered, or would endure the applications of after occurrences in determining its abstract wisdom or prudence? If the allies, when they conquered the peace of 1814, when the French nation seemed ready to leap into their arms, and into the arms of their legitimate king; when only one strong and electric feeling appeared to be entertained throughout the whole country, a feeling of joy and gratitude at being delivered from their tyrant;

if at that moment they had refused to meet the general enthusiasm of the nation, and pursued a stern and angry policy; if they had carried on the war with the determination of destroying Buonaparté and his adherents, instead of accepting his submission and permitting his departure, he was confident they would have been accused of interested and narrow views of policy, and of having clouded that horizon which looked so calm and beautiful to all who observed it. It was, on the contrary, and always ought to be, the chief policy of a great confederacy to act upon large and liberal principles in every part of its career, and upon those principles in the most extensive sense of the word, the confederacy of last year unquestionably acted. If indeed, every member composing that confederacy had not so acted, the very elements of which the confederacy consisted were of such a character, that hardly any attempt at violence, or any effort at spoliation, could have been made which would not have found, in the principles that bound them all together, its own corrective and remedy. It was a confederacy formed to resist oppression, and not to inflict it. That was its true and legitimate character, and never was its character shown in a more imposing point of view than in the campaign of 1814. After such a war as was then waged against France, they retired from her territory without claiming any other tribute or reward than that peace which appeared to leave France more happy, and Europe more secure than they had been for a long series of years. If the allies had pursued a more doubtful course of policy, if they had adopted towards France or Buonaparté a course of measures partaking of more severity and rigour, perhaps the consequence would have been to involve that country and the confederates in a protracted and intestine warfare. It was obvious, however, that whatever motives of wisdom or discretion dictated that forbearance and generosity in 1814, it would have been childishness in the extreme, if at the close of the last campaign, they had indulged in the same feelings to the same extent, and not have founded the peace upon fundamental principles, more calculated to correct any new mischiefs that might arise.

In examining that question in a diplomatic point of view, he wished first (assuming it as a wise and necessary plan to adopt some principle of precaution, because it had been contended by an hon. and learned gentleman on a former evening, that we had no right to form any system of precautionary measures that interfered with the internal affairs of France, a position which he should argue afterwards), to examine the two modes in which the principle could be applied. First the general principle, and the general ground of political necessity, upon which interference could be justified; and secondly, a more partial view of the particular situation in which the allies stood with respect to France. He was the more anxious to meet that branch of the discussion fairly, because it was one which had been much pressed by the hon. gentleman on the other side of the House. A reference had been made on a former evening to a letter written by lord Clancarty, from a single sentence of which it was attempted to be adduced, that we entered upon the late war for the single and exclusive object of deposing Buonaparté, and, that provided he did not reign, it would be a matter of perfect indifference to us who was at the head of the French government. He apprehended, however, if the hon. and learned gentleman, who referred to that dispatch of lord Clancarty,* had read the sentence which he quoted in connexion with the next sentence, he would have found the principle disinctly avowed, that though we never declared the object of the war to be for the purpose of imposing on France any form of government, or that the restoration of the Bourbons was the *sine quâ non* upon which we were prepared to treat for peace: yet other views entered into our calculations, if they could be accomplished by just and lawful means. We certainly objected to Buonaparté as the sovereign of France; but did it therefore follow that we had no choice as to who might be sovereign, or that we were so blind as not to prefer the establishment of a government in the person of that individual with whom relations of amity could be most securely maintained, to the erection of any other government, at the head of which perhaps might be placed a person growing out of that military system, to abate the nuisance of which had been the primary objects of the alliance? The noble lord denied that there was any thing in the letter of lord Clancarty which gave even a shadow of authority for such a construction to be put upon it: and he would refer the House to the declaration made by his majesty's government, in the ratification of the treaty of the 25th of March. Although it was declared in that treaty, that the deposition of Buonaparté, and the exclusion of his dynasty were the specific objects of the confederacy, and it was admitted that the restoration of the legitimate sovereign, Louis 18 was a point most desirable to be accomplished by any justifiable means, we guarded expressly against being understood as pledged to bring about that restoration. He begged the House would distinctly understand the grounds upon which that declaration went. It was not that we were indifferent as to who should be sovereign, provided Buonaparté was excluded, but that we should not bind ourselves to support any particular person in obtaining the throne of France. A strong preference undoubtedly existed in the councils of all the allies in favour of Louis 18, not merely from personal considerations, but upon political grounds; and in affording legitimate assistance towards his restoration, this country and Europe in general, would be securing their own permanent interests and tranquillity. In all the state documents of that period, if they were collated he would venture to say, that they would all present one general and identified course of principles upon that subject. Above all, it was least probable that lord Clancarty, in a letter dated the 6th of May, should drift into it a doctrine expressly contrary to those principles; because, not only his perspicuity of mind and general soundness of reasoning, would have prevented such an anomaly, but, in point of fact, his letter was only an explanatory dispatch, growing out of the treaty of the 25th of March. He would rest the question therefore upon the whole of those documents, the declaration issued at Vienna on the 13th of March, the treaty signed on the 25th of March, and the declaration issued at home on the 13th of April, when we ratified that treaty.

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* See Vol. 31, p. 311.

He would now proceed to consider the general principle asserted the other evening by an hon. and learned gentleman that no country had a right to interfere in the internal government of another country. If the hon. and learned gentleman intended merely to support the abstract principle, that all wanton interference of such a nature was unjustifiable, he perfectly coincided with him. But, on the other hand, if the hon. and learned gentleman contended, either on general reasoning or on the political practice of nations, that any country was tied up from interfering in the state of a foreign country when that state had an influence on its own interests and its own security, he (lord C.) denied the validity of such argument. If it were admitted, it would indeed open the door to the greatest dangers. It had always been the recognised usage of nations, that any great principle affecting not only one country but other countries, was the legitimate object of foreign interference; and in no case had this principle been more distinctly allowed than in questions of succession. Let the House reflect on what had been the former practice of this country on the subject. In order to satisfy the honourable gentlemen opposite he would adduce whig authority to show that this principle of foreign interference had been decidedly recognised in this country; and he should be happy if, by so doing, he could persuade the whigs of modern times to abate the violence of their hostility to any such transaction, and induce them to return to the better opinion of their ancestors. If he wanted a precedent which more strongly than another established this fact, he would refer to that most pure period of whig ascendency in politics 1717, when the triple alliance was formed. This was a more pregnant precedent than perhaps the honourable gentlemen were at first aware of. The objects of those treaties were to establish and maintain the Protestant succession within these realms, and the succession to the throne of France and Spain as established at the peace of Utrecht. Those two great objects were as important in those days, as the destruction of jacobinism in general, and of military jacobinism in particular were in ours. By the 7th article of the treaty of the triple alliance it was stipulated, "that if the kingdoms, countries, or provinces of any of the allies are disturbed by intestine quarrels, or by rebellions, on account of the said successions, or under any other pretext whatever, the ally thus in trouble shall have full right to demand of his allies the succours above mentioned." By the 4th article of the treaty of the quadruple alliance the contracting parties bound themselves to succour each other against all attempts to disturb the established succession. An additional proof of the force of this principle would be found in the conduct of the whigs after the Revolution, who made two treaties with the states-general to support the succession to the throne of England, not only against foreign states, but against internal opposition. Whatever might be thought of the great advantage which this country had unquestionably obtained by the Revolution, it ought to be observed, that if the modern notion of a numerical superiority of a people having the right to influence the choice of a government had existed in those days, it would have been a very difficult matter for the statesmen of the time to ascertain on which side the numerical superiority actually lay.

Repeating, that he did not bring any precedent from a tory administration, but, on the contrary, from the purest whig ministry, the noble lord reverted to the treaty of 1709, and read the article in which the states-general promised to assist the succession established by law in England, to take possession of the throne, if not already obtained, or to oppose those who wished to disturb that succession, if actually in possession. The whigs, therefore, did not think it necessary, that a monarch should be so *de facto*, as well as *de jure*, in order to entitle his claim to support from foreign interference. In the treaty concluded at Utrecht, in 1713, between the same parties was an article of a similar spirit. All this was pretty sufficient proof of the opinion of the ancient whigs on this subject. [Hear, hear! from the opposition benches.] He thought the principle had been denied by the honourable gentlemen opposite. He should be happy if it were not so; for although there would still remain pretty strong marks of distinction between the ancient and modern whigs, he should be glad to see the honourable gentlemen recall this principle, at least of their progenitors. As it was, the modern whigs denied the right of interfering with the internal government of a country, with this exception—that they allowed to a people, that which they refused to a state. The modern whigs always thought that innoxious, or even useful, which was done in that way by an individual, or by clubs or societies, with a view to advance what they chose to call moral influence in the world. But if a state ventured to interfere on the broad ground of public security, and on the danger of threatening other countries in the establishment of a dynasty, such interference was at once pronounced to be contrary to all the rights of independent countries, and destructive of the interests of mankind. What was done by a single discontented man, was within the pale of modern whiggism; what was done by a government was without it. He should be glad to find that night, that whatever might be the opinion of the whigs out of doors, on the interference in a case of general danger with the internal state of a foreign country, the whigs within doors would declare their approbation of it. His Majesty's government had acted on the principles of the whigs of the Revolution; he supposed, that the honourable gentlemen opposite would not allow him to call those whigs their illustrious allies, but they had certainly followed in their wake, and pursued their system of policy.

As an advance to an exposition of the precise diplomatic relations that existed at present in Europe, he would proceed to consider the course which had been pursued by the allied powers. And first, he wished to purge the conduct of the allies from the imputation which by some (for extreme views on all sides would no doubt be entertained) might be cast on them, of pushing the object of the safety of Europe too far, and of sacrificing to it the interests and character of the French people and the French monarch. As some would contend that enough had not been done, others would, no doubt, be as well prepared to maintain that too much had been done, and that the allies ought to have adhered to the terms of the treaty of Paris. This was certainly a subject open to argument. If the stipulation alone of the treaty of the 25th of March were considered, it might appear, as the king of France was invited to accede to it, that he ought to have been protected against any evil effects of the irruption into his dominions. Certainly, if Louis 18 had remained in France, and *de facto* had been able by his own power and authority to expel the invader, then the allies would have been bound to execute the treaty of Paris in all its provisions. He would go further: even if after the king had been driven out of France by his rebellious subjects, or rather by his rebellious army, (for his subjects in general, he believed, were never rebellious); if after he had ceased *de facto* to be king, it would have laid on the good faith of the confederate powers, in the event of his majesty having been restored by the act of his own subjects, in the event of the nation's having risen against Buonaparté and his army, in imitation of the energetic example of the Dutch, and having replaced Louis on the throne, strictly to adhere to the conditions of the treaty of Paris, and to the subsequent arrangements made at Vienna. But the case that occurred was widely distinguishable from that which he had just imagined. The king left France. He ceased to exercise the authority of government. The French nation was so supine, so unmindful of their true interests, as to submit to have a constitution imposed on them under the semblance of election, and to allow an unfaithful army to wield all the military strength of the country against the allied powers. Even the royalists of La Vendèe retired from the contest in favour of their sovereign. Here was a case not in the contemplation of the treaty of the 25th of March; and although the allies were disposed to act liberally and honourably towards Louis 18, they were entitled, and indeed it was imposed upon them by their duty to their respective people, to adopt precautionary measures, and to require from the French king and from the French nation both, some satisfaction in mitigation of the charges to which they had been rendered liable, and some security against the recurrence of similar evils. As to the treaty of the 25th of March, technically speaking, the king of France was no party to it. At the time it was concluded by the four allied powers, it was not known that his majesty had left Paris. It was true, that the French minister signified the royal accession, but nevertheless, in point of fact, there had been no actual accession on the part of France to the treaty. Looking, therefore, simply at the diplomatic law, there was nothing which precluded the allies from taking such a view of their policy as the new circumstances appeared to require. But, nevertheless, he protested against its being inferred, that the allied powers imagined they stood either in justice or in policy in the same situation in which they would have been, had no engagement whatever with the king of France taken place, and that they therefore supposed themselves warranted in abstaining from all indulgence. Enough of the original character of the alliance remained to prevent this. All the parties concerned were contending for the same cause; namely, to relieve Europe from the military domination of France. This imposed on the allies an equity towards Louis the 18th; a disposition not to carry the principle of indemnity and security beyond the strict necessity of the case; but to endeavour to combine the general interests of the king of France and the French nation with those measures of precaution which were indispensable for the safety of Europe.

In considering the course of policy which had been adopted by the allies, therefore, it became necessary to look at the elements of which France was composed; for on that view alone could the arrangements which had been concluded be pronounced wise or otherwise. The French nation was separable into three great fundamental divisions. In the first place, the allies had to consider what course of policy was due to the king as a sovereign, having long suffered by the events of the revolution, and having invariably manifested a spirit of conciliation, eminently calculated, as far as his majesty's power extended, to secure the best hopes and wishes of Europe. Secondly, they had to look at the collected mass of the nation which, although some minor parts of it had lent themselves to the usurpation of Buonapartè, as a whole had maintained its loyalty and good disposition. Thirdly, they had to comprehend in their deliberations that branch of the French system which had invariably shown itself hostile to the repose of Europe, without the utter subduing of which any prospect of peace with France, either under Louis or any other dynasty, must prove illusory and transient. They felt that if the army of France, organized as it was on the principles of military jacobinism, was still permitted, as in recent times it had constantly been permitted, to hold its ascendancy over the people, and to maintain its influence in the councils of that nation, nothing was gained for the tranquillity of Europe; but that the French government, of whomsoever composed, must continue to be impelled by its impetuous and unprincipled dictates. The allies were satisfied, that if the war should not prove fatal to that body, though peace might be restored, yet that it would be restored only for a short period, and would presently terminate in a renewal of hostilities.

He would not call for the approbation of that House of the course which had been pursued, if he was not prepared therefore to avow, that the allies made the dissolution and extinction of that army the main object of their policy. Many of them had fallen in the field by the bravery and skill with which they had been encountered. But after that signal defeat of the French army, the allies would have been justly chargeable with their resurrection, if they had not followed up the blow, and extinguished, as far as it was possible, the power so dangerous to all. Still, however, it was necessary to be vigilant. If the governments of Europe were to allow themselves to be lulled into security by supposing that the French army had ceased to exist because it had ceased to appear on the parade, they would soon witness a revival of that scourge which had so long desolated the world. He had no hesitation therefore, nay, he prided himself in avowing that it was distinctly declared to Louis 18, that if he did not dissolve the French army, the allies must charge themselves with that indispensable task. In order to give effect to this representation, 300,000 men were assembled on the Loire with the intention of denouncing the armistice on a particular day, if arrangements were not made by the local authorities of France to dissolve that army, the existence of which was incompatible with the general repose. Under these circumstances, he put it to the feelings of every Englishman, whether our further interference was not only natural and just, but whether it was not imperiously demanded by the state in which this requisition left the king. What right had we to call in the king to dissolve what was called the royal army, if after having done so, we meant to leave him to their mercy? Were we not bound to defend him from them in their disbanded as well as in their collected state—in their character of conspirators as well as in their character of soldiers? He, for one, had never been disposed to depreciate the abilities of Buonaparté; but the comparison of the danger arising to society from the talents of that individual, and from the disposition of the French army itself, was as the comparison between a drop of water and the sea. If the moral, or rather the immoral, principle woven into the constitution of the French army, had been suffered to exist, the confinement of Buonaparté in the place to which he had been sent was almost an unimportant consideration, for such an army would not find it difficult to discover some man capable of leading it with courage and ability. The simple question for the allies to consider was, whether moral and civil principles should govern the world, or whether it should be ruled by a military despotism, interweaving itself by degrees into all the states of Europe. Let those who were for pushing to an extreme the opinion of popular authority, reflect on what this military despotism had been founded. It had grown out of that state of social disorganization which modern philosophy and modern Whiggism tended to produce. It had been the sad refuge from the evils of anarchy. Fortunately, the rashness and intemperance by which it was characterized had prevented its perpetuation. Every effort to that effect, however, had been made by its great leader. In France, under Buonaparté, every thing had been rendered subordinate to the army. One of the last acts of Buonaparté was to call on the prefects of France to deliver to him descriptive lists of the females, their property, &c. in their respective districts, evidently intending to sacrifice them to the lust and rapacity of that army with which, operated upon by so powerful a stimulus, he vainly hoped to maintain himself on the throne of France, and to carry desolation in to the surrounding states.

So far was the interference of the allied powers to put down the French army from being unpopular in France, that he had never talked with a single well-informed man in that country who had not spoken of the tyranny of the military despotism as that from which it was desirable to escape. Even those who had run through the whole course of the revolution denounced the military system as a monster in government, which triumphed over the law, and which rendered the state a mere instrument for the gratification of its own detestable wishes. Not only were the steps taken by the allies to guard against the return of this military despotism gratefully acknowledged in France, but a strong and very general solicitude was shown that they would take into their protection the civil constitution of that country—a step which, according to the established relation between nations, it was impossible to take. With respect to the great body of the French nation, whatever levity they might have exhibited, with whatever facility they might have lent themselves to different usurpations, it was the anxious desire of the allied powers not to pursue towards them a resentful or revengeful policy, but if possible to combine the system of security for Europe with such acts as would mark this great distinguishing character of their proceedings, namely, that their hostility was directed not against France as a nation, not against France in a royal sense, but against France in a revolutionary sense, and most especially against France as the concentration of military jacobinism. Nor did the allies proceed on this principle alone. They acted on a very broad policy. If they had spoiled the game which they had been playing by mixing it up with any ordinary question between state and state—if instead of endeavouring to reinclude France in the pale of social nations, they had attempted to degrade her, they would have combined all France against them, instead of having the great mass of the people on their side.

There were some people who might have supposed that this was a favourable moment for depriving France of the encroachments which she had made under Louis 14, and for making her return to her old limits. But however specious this supposition, the reasoning on which it was founded appeared to him to be extremely fallacious. If France had grown since the period alluded to, other states had also risen. The power of the British empire, for instance, had increased so much of late years, as to render the reduction of the power of France less necessary. The power of Russia, also, had increased so much, that with every confidence in its moderate exercise, it rendered impolitic a reduction of that of France. And above all, nothing could have been more fatal to the policy and object of the great confederacy, which was to keep their general principle distinct from any petty arrangement between state and state. Having embarked with every thing wise and loyal in France, against a danger common to all Europe, it would have been most injurious had they made an indirect advantage of existing circumstances, and failed to preserve to France her character as a nation. From the king to the meanest peasant in the country, not a man but would have united against them had they pursued any other policy. What the confederates were especially charged with was, to tranquillize the world—not to carve out the different states according to their own notions; which, although they might be abstractedly right, would, if indulged, lead them from that which was their great and important object.

Coming to the consideration of the subject with this view of it, various lines of policy offered themselves for their adoption. There was the course of calling on France for a severe contribution of money, and there was the course of calling on her for an extensive dismemberment of territory. A false impression was, he believed, very prevalent on this part of the question. It was supposed by some, that it would be more wise to have made a substantial demand on France for territory, leaving the French government in possession of all their resources; and it was imagined, that of all cessions a pecuniary cession was most revolting to the feelings of the French. He could assure the House that nothing could be less true than this proposition. With the exception of the natural repugnance which all men had to part with their money, there was hardly any indisposition in France to this measure. Indeed, the state of the French finances admitted it. Out of the nature of its situation, and the profligacy of its conduct, had grown this advantage. While all the rest of the world were straining their exertions, France had scarcely a burthen; for as soon as they had created armies they turned them loose to prey on mankind. He believed, therefore, that France was in a state of greater financial affluence than any other country in Europe; and more especially with reference to the two neighbouring states, Prussia and Austria. He would take this opportunity of saying, that under the existing circumstances of those two countries, it had not been deemed prudent or wise by the British government to press the repayment of the imperial loan. They really were not in a state at present to make the exertion which that repayment would require. In the last two campaigns Prussia had expended twelve hundred millions of livres, or fifty millions sterling; and the expenses of Austria had been still greater. In consequence, the finances of those two countries had been so reduced, that had his Majesty's government insisted on the repayment of the imperial loan, they would actually have been unable to put their armies on a peace establishment, and would have been put to other inconveniences which, in every point of view, it was most desirable that we should, if possible, prevent them from enduring.

As to the cession of territory by France instead of the contribution of money, there was not a man in the kingdom from the monarch to the lowest individual, who did not entertain for such a proposition that which might justly be called national repugnance. So abhorrent was it to the feelings of the whole French people, that he really believed it would not have been in the power of the allies to persuade his most christian majesty to accede to such a stipulation. Besides, it ought to be considered, that unless the demand of a cession of territory went far, it would be much wiser not to make it at all. On some parts of the multifarious questions before them, there had of course been strong differences of opinion among the allied powers, but on that of the cession of French territory none. They all disavowed the right of treating France as a conquered nation in that respect, or of dismembering it with a view to alter its military character and resources as a nation. All that they held themselves entitled to consider was the more or less—the modification of the frontier; but not one of the confederated powers imagined that it was within the functions of the confederacy to dismember France itself. It should also be considered, that what was taken from France must have been given to some other nation. There was the two-fold danger of taking down one power, and of raising up another. Unless a third or a half of her territory had been taken from France, no effect could have been produced; and did the House calculate on the wounded pride and honour that such a dismemberment would necessarily excite? Where was an Englishman to be found who would not fight for any of the ancient possessions of our crown? And he must say, that he would not respect that Frenchman who did not feel that the state of his country, before the revolution, was that in which his honour was bound up, and that he could not allow that state to be diminished without a degradation worse than death. He therefore begged leave to contend, that in point of justice no proceeding of dismemberment could take place, and that in point of policy the very nature of the contest, which was for the establishment of a general principle of security, rendered such a step unwise, and the last remedy to which Europe ought to look as a defence against the evils that surrounded her.

There was another principle of action which should not pass unnoticed. Whatever it was wise to do at all, it was important should be done, not by any particular state, but by Europe as a whole. It was highly important that Europe, in its present allied state, should act as a body; and that nothing should occur to reduce that body to its original element. If a fragment only had been taken from France, and if that fragment had been delivered over to the power to whom, from local circumstances, it would have proved the greatest advantage, the maintenance and defence of the acquisition would have necessarily devolved on that single power, and that at a period of the greatest agitation and difficulty. It was a fundamental maxim of France to be involved in war with the Low Countries, and whenever this was the case, the burthen always fell upon the shoulders of this country. We had therefore taken care to secure the dominions of the king of the Netherlands as much as possible against any attack from France. By the precautionary measures, however, that were adopted, there was every reason to hope and believe that France would not make any hostile attempt. We had 150,000 of the best troops in the world, under a man who was justly and universally admitted to be the greatest general in the world; and as France had created the danger, it was but right that she should pay the price for watching over her tranquillity. On the whole, he had good reason to believe, that the peace would prove secure, even though some show of hostilities might be made by France in so long a space of the life of man as five years. It would by no means have been wise to have taken the line of fortresses from France, and annexed them to the countries to which they were contiguous. Such a measure would have been of no advantage to those countries; it might have been resisted by the French government, and might have created more danger of a new war, than the leaving of them in the possession of France, after the allied troops should be withdrawn. It was the general opinion in France, that she had never erred more than in extending her territory. As to the territory of the king of the Netherlands, he would say, that he was stronger within his own frontiers, and by the improvement of his fortresses, than he would have been by the possession of those fortresses, that might have been taken from France. The future state of Europe depended on things being permanently settled in France; and they would be so by not suffering her goverment to be thrown backwards and forwards as it had been. The allies had preferred the government of the king, because it seemed to offer nothing that was likely to shake the peace of Europe. It was therefore a deliberate purpose of the allies, when they concluded the treaty of the 20th of November, to do away all cause for jealousy, and they bound themselves to restore the fortresses, with the few exceptions specified in the treaty, at the end of five years. But they did not bind themselves to restore them to any but the king, or his lawful heirs and successors; so that if the present dynasty should by any means be subverted, we had not pledged ourselves to the folly and absurdity of giving them up to any person who might be at the head of the government at that time; but to look at what might take place, and judge whether it would be necessary to impose some new restrictions. We were pledged to support the king of France, but not to support any new revolutionary government.

He was satisfied that greater securities for the durability of the peace had been obtained by the course pursued in the late negociations, than could have been obtained if France had been pushed into concessions with a more violent hand. If the king had not re-ascended the throne on the principle that the virtual integrity of France should be preserved, he (lord Castlereagh) would have had most serious doubts of the continuance of peace. He felt that in that case it would have been much endangered by the irritated feelings of the French nation. But while due attention had been paid to this consideration, the allies had not failed to require what they thought adequate securities for the future repose of Europe. These, he trusted, it would be the opinion of the House they had obtained, when it was recollected that five fortresses of considerable local importance had been ceded by France to the king of the Netherlands, and that the destruction of one which was of some importance had been insisted upon.

Had the arrangement made for the future repose of Europe stopped here, he should have thought it incomplete. In his opinion, however, the other conditions which had been made, combined with those to which he had just referred, would place the balance of power in Europe on a better footing than it had obtained since the time of Joseph 2. France was to pay to the allies 700,000,000 of livres. Out of this sum, 300,000,000 was to be expended for the erection of strong places to defend the Low Countries, which would thus be placed in a better state than they had been in for the last fifty years; and he had no hesitation in saying, it was a much better game for England to play, to support the king of the Netherlands in his own territories, than it would be to maintain his authority in places taken from France, which that nation might reclaim whenever she felt her military power sufficiently revived to enable her to venture on such an undertaking. He was anxious that the question should rest on this principle, that England should rather take upon herself to defend the Netherlands than to hold the strong places taken from France, some of which it must be difficult to maintain, and some (Lisle for instance), it must be obvious to every person who looked at their military situation, would be rather an incumbrance than an advantage.

He would now say a few words on the subject of the sacrifices of a pecuniary nature imposed upon France, in satisfaction of the views of the allies. Looking at the operation which these would have upon the French government, he certainly considered that what had been done in this respect was politically the most expedient course—to neutralise in the first instance, and ultimately to remove that military spirit which had proved so fatal to the repose of Europe. If we drew from the French those resources which might sustain a military force, and apply it to the support of our own, kept there for the purposes of *surveillance*, we took the best means for preventing the recurrence of those evils against which it was the object of the allies to guard. This he thought the wisest policy that could be pursued to accomplish the end in view, and that which would be the least offensive, as it would be the least injurious to France herself. This persevered in for five years, he entertained sanguine hopes would establish the tranquillity of France, and with it that of the rest of Europe. But he was aware that it was common for gentlemen to say, that the contributions which had been imposed, France could not and would not pay. In answer to this he had in the first place to state, that she had already made very considerable payments, and these under circumstances of peculiar difficulty and embarrassment; in the second, he would observe, that she must pay them or become bankrupt in national credit;

and thirdly, it was to be remembered, that if she failed to do this, we should then stand in the same situation in which we had stood when in the opinion of some gentlemen we ought to have insisted upon other terms, founded upon permanent cessions of territory to be made by France.

It was now to be considered how the payments could be made by France, and what would be the effect of them on her trade and resources? In speaking of the arrangements, which had been made, he wished it to be distinctly understood, that when he spoke of them as being wise, he did not give them that character because he thought them ruinous to France. He protested against this doctrine altogether, as he was satisfied no arrangement could be wise, that carried ruin to one of the countries between which it was concluded. He believed if both parties had not an interest in carrying any treaty negociated into effect, it must eventually fail. In mis-calculating the point on which it could be acted upon with mutual benefit, the advantages contended for on either side were lost. He believed France could pay the contributions which had been demanded, and that she intended paying them. France, he maintained, was as greatly interested in seeing that military spirit subside which had prevailed within her territories so long, as it was possible the rest of Europe could be. If at the end of five years she should find this to have been materially abated, and her civil energies increased in proportion, the change thus produced would be not less beneficial to her, than it would prove to her neighbours. The contributions demanded could be met by the revenues of that country—by the sale of crown lands, by the augmentation of the capital of her national debt; she might be enabled honourably to fulfil her engagements without bringing on the state any extraordinary calamity. France, it had been stipulated, should pay as an indemnity to the allies the sum of 700,000,000 livres (28 or 29,000,000*l.* sterling), but this was, comparatively speaking, a very inconsiderable payment, when put by the side of the other expenses which the late war had thrown upon her. In addition to this 29,000,000*l.*, France had engaged to maintain an army of 150,000 men belonging to the allies for five years. The expense of each 1000 men could not be estimated at less than 1,000,000 of livres per annum; this army therefore would cost France yearly the sum of 150,000,000 livres. From this it would be seen, the sums which France would have to pay in five years, for the maintenance of this army, would be 750,000,000 of livres, making, with the 700,000,000 given to the allies as an indemnity, a total of 1,450,000,000 livres. By a convention concluded, the French government had engaged to pay 120 livres a man (about 5*l.*) on the whole force which had marched into France to conquer peace, and the last payment due on this account had been made. The expense of this vast force had been borne by France for five or six months, and this, added to the sums which he had already named, and other charges which had been thrown on her, brought the total expense of the invasion which she had sustained up to a sum of not less than 2,000 millions of livres—about 80,000,000*l.* sterling. At first many had been disposed to say that such a burthen was more than France could bear. For this idea there was no good foundation. She had already made very considerable advances, and he doubted not she would be able to pay the whole; and in doing this he believed there would be as little reason for regret on the part of France as there was on that of England; the exertions which this would call for would not destroy the resources of the country, though for a considerable period it would put it out of its power to make any great military effort.

He thought it was not necessary for him to go into any lengthened argument to induce the House to look with favour on that system which had brought the late contest to so desirable an end. The House could not feel a little astonished, when they compared the question brought before them that night, with those which they had frequently had to discuss from time to time, through many a melancholy year. When they recalled the many debates which had taken place on the evils with which this country had been menaced from the successes of France, it was a proud and gratifying reflection, that on this day they were occupied in considering how far the preservation of that nation, among the great powers of Europe, was political or just. The House would also feel it to be an auspicious circumstance, that that great alliance which had been formed by the four great powers of Europe most opposed to the politics of France, that that union of their councils which had so long been a *desideratum*, which so many efforts had been made to accomplish without success, and had at last been brought to bear with such happy effect, now, at the conclusion of the struggle, existed in all its former strength. He firmly believed, that had the sovereigns been separated instead of being together on the field of action, the great business of the war could not have been so happily conducted to its termination. On this in a great measure he was convinced the salvation of Europe had depended. Circumstances would have occurred from day to day, which, in all probability, would have shivered the confederacy to atoms, had not the sovereigns been on the spot to meet, and by conciliating opposite interests, to overcome them.

Another grand feature in this confederacy, which must be contemplated with feelings of general satisfaction, was the spirit of moderation and temper which had distinguished it, and which, on every great question, had enabled them to carry with them the general feelings of Europe. This character, which it had so well deserved, gave the world confidence to look up to it still for protection, and discountenanced the apprehensions which had been too readily taken up by the hon. gentleman opposite, of their having it in contemplation to make an attack on the civil or religious liberty of any country not in alliance with them. He deprecated that disposition to arraign the intentions of the allied powers, which had recently been manifested, and contended that these efforts to create an alarm, unfounded in the first instance, were likely (if any thing could be expected to produce such an effect) to originate the evil, the existence of which those to whom he referred affected to deplore. The friendly disposition of the emperor of Russia towards this country had been particularly manifested in the course which he had recently taken with respect to the Ionian islands. This supplied a refutation of all the statements which had been circulated to awaken a jealousy against Russia on the part of this country. The noble lord said, he was not an advocate for confidence in the goodwill of any great power, so far as to dismiss vigilance on the part of ministers, but at the same time he felt it necessary to throw back the charge which had been advanced, lest it should lead to that state of things which had been (without foundation) supposed to exist. The Ionian islands, he felt it his duty to state, had been placed under the protection of England, in the first instance, in consequence of the great wish expressed by the inhabitants of them, that such an arrangement should be made; and next to this, they had been so placed under our protection in compliance with the desires of the emperor of Russia, who had greatly exerted himself to promote this object.

The noble lord said, he wished, on this occasion, to put at issue the arrangements which had been made to close the late war; these the House could discuss without going largely into the merits of what had been done by the congress of Vienna, which it might be well to leave open for consideration on a future day. That on which he now called upon the House to decide, was the question whether, under all circumstances, ministers had done their duty in concluding the present treaty of peace. He renewed his congratulations on the unanimity and harmony now subsisting among the allies, and on the happy effects which these had produced, and which still seemed likely to flow from them. If any thing were done by this country which at all went to separate its interests from those of its allies, he was convinced that we should not only give up the advantages felt from their influence, but should do that which would tend to keep up that military spirit in Europe, which it was desirable to see lowered. Though the other powers in Europe had not been thrown into those monstrous creations of military efforts which had been witnessed in France, still it could not be denied, that there existed in them a warlike spirit, which could not immediately subside; and he went along with those on the opposite side, who were of opinion, that a perfect state of peace could never be obtained till that spirit should be much abated; till armies became again universally the creatures of the state, instead of states being, as they had been seen in some instances, the creatures of the armies. A reduction of the military force of England could take place sooner than a similar reduction could be effected in other countries; but if we were to be precipitate in putting this measure in operation, while all the rest of the world were in arms, we should do that which would be likely to perpetuate that system which we wished to see changed, and which, if a different course were pursued on our part, we might reasonably hope would not long be upheld. The noble lord concluded with moving,

"That an humble Address be presented to his royal highness the Prince Regent, to return to his royal highness our sincerest acknowledgments and thanks for the important and satisfactory communication which his royal highness has been graciously pleased to make to us of the definitive treaty concluded at Paris, on the 20th of November last, with his most Christian majesty the king of France and Navarre, together with the various arrangements connected therewith, by which the blessings of peace are restored to Europe:

"To assure his royal highness that we have witnessed, with equal admiration and applause, the promptitude, unanimity, and vigour, with which the allied forces were brought into the field at the outset of the campaign, to which unexampled exertions, under Providence, is to be attributed the early consummation of a victory by which the contest was at once brought to a successful close, and which may be justly recorded as a triumph unparalleled in the annals of war, both for its glories and for its results:

"That, after the experience of the preceding year, we fully approve the policy which determined his royal highness and his allies to found the recent peace upon a principle of salutary precaution:

"That, whilst we express our satisfaction at the additional means of defence provided for the future security of other states, we cannot but rejoice to observe, that it has been found practicable to combine the measures which Europe owed to its own safety with a system of just and liberal policy towards his most Christian majesty:

"That we fully appreciate the wisdom which has guided his royal highness in cementing, at the close of the war, an alliance which has conducted the contest in which we have been engaged to so auspicious an issue; and we trust that Europe, under the vigilant protection of that alliance, may confidently look forward, after such severe exertions in war, to reap, in the enjoyment of repose, the fruits of its long and many sacrifices:

"That on the justice and moderation which his royal highness has proclaimed to Europe, as forming the basis of his councils, and which, we doubt not, will equally animate the councils of the other members of the alliance, we especially rely for recalling the world from the pursuits of war to the milder maxims of civil order and peace:

"To assure his royal highness that he may rely on the invariable support of this House, not only in maintaining principles so congenial to our own sentiments, and to the genius of the constitution under which we have the happiness to live, but also in giving effect to the several engagements which his royal highness had taken with his majesty's allies, trusting that the result will correspond with the enlightened views which his royal highness has formed for the peace and security of Europe."

Lord *Milton*, in delivering his opinion upon the subject before the House, was ready to admit that in many of the sentiments and in many of the maxims expressed by the noble lord in his speech that night, he undoubtedly concurred. That noble lord had, however, travelled into a good deal of extraneous matter, which was not upon the present question absolutely necessary for the consideration of the House. Though it had been attempted to show that it was a question merely upon the simple treaty last concluded between this country and France, and that it did not involve a consideration of the congress at Vienna, he did not see how that treaty and the congress could be separated. With respect to any agreements entered into with France, their value could be appreciated according to other stipulations made for the benefit of Europe. The House was, therefore, called upon to form its judgment of the conduct pursued by the noble lord, not only in the Treaty he had alluded to, but of that conduct which preceded this event. The machinery which had been used upon this occasion was not that upon which the House could exactly decide, as they could see it only as it were "through a glass darkly." During a considerable portion of the noble lord's speech he had dwelt much upon the unanimity of the allies—he had blazoned forth the illustrious deeds of their armies, and had shown the great coincidence which existed between the different powers of Europe, when they had directed their efforts to one object, the peace and security of Europe. In all the encomiums bestowed upon that great general, by whom they were eventually led to victory, lord Milton said, he most heartily concurred. He thought, nevertheless, the noble lord had made his case too good. He had described the force against France at 1,140,000 men, besides those which were in reserve, amounting in the whole to 1,500,000 men in arms. Then, what had been the result of all this mighty force, and these great exertions, so honourable to the nations of Europe, and the councils by whom they were rouzed and brought into action? He concurred most fully, perhaps no man more fully, with those observations which the noble lord had made upon the military despotism of France: but these were the objects of former statesmen, upon whom the noble lord appeared to look down with an air of superiority. The noble lord seemed anxious to persuade the House, that the only object to be attained was, that of putting an end to the military system of France. He would not deny that the military character which France had assumed, was one object to which the united exertions of Europe were applied; but he was at the same time, extremely doubtful if the means employed had been adequate to the purpose. He would leave it to the consideration of that House, how far the means used were likely to occupy the reflection and the feelings of the French nation. What must be their feelings when they saw the military force of England and Russia in possession of the line of their fortresses? When they saw the British and Russian flag flying upon those fortresses? When the ploughman could not go with his ploughshare to the field without witnessing those armies which were arrayed against his country? Did the noble lord imagine that the contributions to be paid by France would create no regret in the nation? Did the noble lord think, that the tearing down of the territory of France was the only injury that country could not forgive? Even the taking away the monuments of the arts could produce no satisfaction; neither could the contributions paid to the English and Russians on the frontiers of the Netherlands. When these things were borne in mind, did the noble lord really think the peace promised to be so lasting? Did he believe that the degradation would be forgotten or forgiven by the French? Other securities might have been obtained, in his opinion, which would have produced less irritation in the public mind and which would, at the same time, have more completely effected the object which the allies had professed to have in view. The noble lord had also passed high encomiums on the principles by which the allied powers had been actuated, and took credit to them for not having carved and cut out France. It would have been well, before the noble lord indulged in these panegyrics, if he had recalled to his recollection the principles by which the congress was all along actuated, with respect to Saxony and Genoa. The noble lord, he believed, had also said, that the boundaries appointed for the kingdom of the Netherlands, were carried to the utmost possible extent to which it was ever considered necessary to carry them before. Had the noble lord taken the trouble to look at the letter of the duke of Marlborough, in his correspondence upon the boundaries of Holland, however, he would have found that he was not quite correct in his conclusions; that noble duke having distinctly included Lisle, as well as several other fortresses not embraced by his lordship, in what he considered the proper line of boundary, to secure the low countries from the incursions of France. He would also refer the noble lord to the negociation with Spain, upon the subject of the Spanish frontiers in the Netherlands, and again to the barrier treaty in 1715; both of which documents would furnish an illustration of his ignorance upon this topic. He denied that the policy adopted by the noble lord for the protection of the Netherlands was either wise, or likely to prove substantially permanent; for as soon as ever the Russian, Prussian, Austrian, and English armies retreated, if any cause of jealousy or dissension arose with France, she would immediately pour in her army, and put an end at once to all this ideal security. The Netherlands, he contended, were not properly secured by the treaty under the consideration of the House, against the ambition of France, which it ought not to be supposed could disturb the world no more, because a Bourbon sat upon the throne who was advanced in years, and could not distinguish himself by personal activity. He would take the opinion of those with whom the noble lord had dined and coquetted in Paris on this treaty. He did not believe it could be viewed with general satisfaction any where, and the advantages which it gave the king of the Netherlands he viewed but as temporary. Did the noble lord think, and could the House think, that this new kingdom of the Netherlands, containing a population of about four millions of people, could resist the whole power of France? But, on this point, the noble lord had turned round and assured the House, that France would cease to be a military power. If France ceased to be military, she would become different from what she had ever been. He was not disposed to object to legitimacy, of which so much was said now a-days and after the late mark of distinction paid to cardinal York. He, on the contrary, was disposed to uphold legitimacy, but he did not think legitimacy always depended upon consanguinity, and when the cry of legitimacy was raised so high, he was led to conclude, that something more was intended than immediately met the eye. He was happy to hear the noble lord desired the abatement of that military spirit which had been excited throughout Europe; but he thought the conduct of the noble lord stood in opposition to his avowed principles. The noble lord had said he would never be satisfied till he saw Europe sit down in a more civil state. He was glad to hear him say so, but 150,000 armed men on the frontiers of France, ready to act according to the discretion of the duke of Wellington, if he should consider there was a revolution in that country, was not likely to produce such a state among nations. With every admiration of that great general, he did not perceive the propriety of entrusting this discretionary power to him. To give him this power was virtually to make the duke of Wellington king of France. No man in that House detested more sincerely the revolutionary principles upon which the French set out in their original career than he did; but at the same time there were revolutions in which he thought this or any other country ought not to interfere, and which it would be neither politic nor just for us to prevent:

> "Non tali auxilio nec defensoribus istis
> Tempus eget."

If once it was to be conceded, that such interference was justifiable, it would be in the power of all the neighbouring states to dictate the form of government which they might approve, and totally to exclude the people from any choice whatever. Anxious as he was for the reign of Louis 18, for he believed him in disposition the father of his people, still he could not subscribe to the doctrine deduced from the instructions to the duke of Wellington that there could be no revolution in France, but such as would call for the interference of this country. The triple and quadruple alliances concluded in 1715 and 1718, he contended, had been injudiciously brought forward for comparison on the present occasion. Those treaties differed most essentially from the present, as it was to be remembered that England who was most materially afflicted by them, was a willing party to them. Under these circumstances, no fair comparison could be drawn between the documents referred to. He had not opposed the last treaty of peace, but he thought he had a right to object to the present, as he conceived it to be pregnant with danger. In these arrangements ministers should not have regarded merely a period equal to that of their short lives, but ought to have contemplated posterity, whose interests were founded upon something better than arrangements of such a temporary description. The noble lord had said that the best surety to Europe was the character of his most christian majesty. But when Louis 14, was no more, it was no ground for preserving the advantages obtained against the inroads of France. Even Louis 15, that effeminate king, took the electorate of Hanover, because it belonged to the King of Great Britain, which was no earnest of the security to be expected from the family of the Bourbons. Because the present Louis was an old and gouty man, the noble lord seemed to consider him as the security of Europe; but to place the liberties and tranquillity of Europe upon the disposition of the Bourbons was not a basis upon which he would wish to see them fixed. Upon all these grounds he could not agree that this peace which was to have proved the *panacea* for all our evils, had been productive of any real advantages. At the end of the five years, during which the allies were to remain in France, it was likely a new war would break out. With a view to this a right hon. gentleman opposite would perhaps say it was fit we should be constantly prepared for war; that was, he would have the country exhaust its resources during peace, that it might be ready for renewed hostilities. The present treaty brought places and patronage in abundance—it made the Horse-guards all alive; cutting whiskers and trimming jackets went on there as busily as ever; and in addition to these great advantages, it was intended to bring us the property-tax at five per cent. If this tax were again imposed, it would be so easy for the ministers to keep it on, and to increase it to 7,8, or 10 per cent. that he should never expect to see it taken off again. The noble lord concluded an able speech with moving by way of amendment,

"That an humble Address be presented to his royal highness the Prince Regent, to assure his Royal Highness, that after so long a period of the most sanguinary revolutions and wars, no event could be more gratifying to our feelings, than the establishment of universal tranquillity; and no wish nearer to our hearts than the permanence of a blessing so ardently desired and so dearly purchased. But that in proportion to our solicitude for the continuance of peace, is the anxiety and alarm with which we view the means adopted for its security; by continuing to maintain in arms a great allied force, and by holding in military occupation the frontier of one of the powers so lately belligerent. In these stipulations we recognise nothing of a pacific character. To our minds this measure still presents the fearful image of war, suspending indeed for a time its ravages, but prepared at every moment to renew them with increased activity. It tends, we fear, to keep alive and to inflame every hostile passion; and to prolong the animosity of an enemy, overpowered but not weakened, humiliated but not reconciled. These precautions, professedly temporary, have indeed provided nothing for permanent security. They expose to the greatest hazards, that union by which alone our deliverance was achieved. And by an unexpected call for continued exertions, and fresh sacrifices, they aggravate every where that dreadful pressure which has already nearly weighed down all European nations.

"Under any circumstances, and for any purposes, we should deeply have lamented, that our times should be the first doomed to witness the new spectacle of the assembly and maintenance of such a force, as the necessary and stipulated accompaniment of a treaty of general pacification; from the cordial co-operation of the allies, and from the brilliant successes of their arms, we had indeed cherished other hopes. Every motive, both of justice and of prudence, required, as we thought, the limitation of the power of France, proved by reiterated experience, so formidable to the liberties of Europe. When this had been effected, we trusted that a great reduction would have been agreed upon by general consent, in the enormous and disproportionate military peace establishments, which during the last century, a jealous and most improvident competition had carried almost universally to an extent destructive of the best interests of civil society. Next to the cessation of actual warfare, this was the highest benefit which peace could have conferred upon Europe—the best pledge of the mutual union and confidence of her sovereigns—the best reward for the merits and the sufferings of their subjects.

"To originate, to recommend, to accomplish a concert of such great and universal advantage, would have been the utmost glory to which in these negociations Great Britain could have aspired. It was consonant to the long usage of our government—to the moral feelings of our people—to the pressing calls of our financial system, and, above all, to the fundamental principles upon which alone our constitution stands. We see, then, with the most profound affliction, that instead of successfully urging this policy on others, we have now ourselves abandoned it. We cannot repress our own feelings, and we judge from them the feelings of our country, when called upon to concur in carrying the opposite principle to an extent hitherto unthought of, even in the most military governments; maintaining in peace, and in the territories of a foreign power, a great military force in constant preparation for action.

"We humbly assure his royal highness, that we shall at all times be most anxious to support and uphold the high station of our country in the eyes of the surrounding nations; but we beg leave to represent, that this station never has been that of one of the great military powers of Europe. It is by a contrary system that we have risen to prosperity and greatness. These are, under Providence, solely to be ascribed to the influence of a government, founded in freedom, and maintained by the arts and institutions of peace. We know not how a great and permanent military establishment, continued after the termination of the war, for which alone it was created, can ever be made consistent with the principles of such a constitution, or the security of such a government. History affords no such example, and in our own country the experiment has never before been attempted. The happy advantages of our situation, and our sedulous attention to the sources of maritime defence, have hitherto preserved us from it. To prevent any such necessity was among the most powerful of the motives for all our exertions and all our sacrifices. And urgent, indeed, must be the reasons which could now reconcile us in victory and triumph to the adoption of that very system, to avert which we did not hesitate to hazard our existence."

Mr. *Fazakerly*, in a maiden speech, seconded the amendment. He admitted, that all pacification with Buonaparté, contemplating his military system, would have been highly alarming; but that circumstance was not sufficiently strong to make him view, with perfect approbation, a peace which entailed such enormous burthens on the country. The security for that peace, was, it appeared, the keeping up of a line of fortresses, and a very considerable pecuniary sacrifice. With respect to the first branch of the security, the temporary occupation of the fortresses, it was greatly inferior to that offered by Louis 14, who was willing to give up Tournay, Strasburg, Maubeuge, &c. He mentioned this, because, in our intercourse with France, on the continent, one of two modes must be pursued, either conciliation or repression. Now, he contended, that this temporary occupation did away with the hope of conciliation, and was not strong enough to awe and repress the spirit of ambition. He next came to the pecuniary part of the agreement. He did not mean to enter into a legal discussion on this point; but he should certainly apprehend great danger, if, when a treaty of peace was concluded with this country, a pecuniary gift was handed to the monarch. The mutiny act was evidently intended for the purpose of keeping the army within the power of parliament. But, if a sum of money were given to the sovereign, and he afterwards thought proper to distribute it amongst his troops, it then became clear that the army were no longer under the control of parliament. [Loud cries of Hear, hear!] The hon. member concluded by expressing his hostility to those fixed meetings of monarchs, which appeared to have for their object, the settlement of the internal concerns of every people in Europe. He thought that House was perfectly capable of conducting the affairs of the country; but if, in future, their political concerns were to be formally discussed on the continent, then our interests were not likely to be very successfully maintained.

Mr. *E. Lyttleton* said, that if that House, echoing the general sentiments of the country, had congratulated the throne on the peace of 1814; he knew not why a similar course should not now be pursued, at the termination of a contest which had raised our military glory to the highest point of distinction? The treaty then on their table proved, beyond a doubt, the union of the allied powers; for without the most decisive union, so grand a result could never have been obtained. When, in 1814, the capital of France fell into the hands of the allies, there were but few Englishmen who did not feel a pardonable regret, that the army of Great Britain, which had borne the brunt of the contest, was not present at that event. It was Great Britain which showed the world, that French armies were not invincible, that French officers were not infallible. Great Britain proved this, when she drove them from the rocks of Lisbon to the banks of the Garonne. When the proud city of Paris first opened her gates to the allies, no British troops were assisting in the work. There was something wanting to render it perfect. But, subsequently, the British standard waved on the walls of that city; that poetical justice was executed which the best feelings of the heart required. France had been left in possession of that immense wealth which she had procured by the most flagitious means. She retained, as the trophies of her perfidy, the spoils of subjugated Europe. The battle of Waterloo, however, had set these things right. The British army defeated the Usurper, and pursued him to Paris; and the British flag, as in the days of our Plantagenets, entered Paris in triumph, along with the conquerors and deliverers of France. The moral victory was complete. The restoration of the works of art to those countries from which they had been plundered, proved the just and honourable principles by which Great Britain was actuated. The hon. gentleman denied the policy of severing Alsace, Lorraine, or French Comté, from the empire of France, which the noble lord (Milton) preferred to the establishment of an army on the French soil. It was a maxim of policy with those who studied the balance of power in Europe most deeply, that France should be a great nation, and the propriety of that maxim could not now be denied, when, in another part of Europe, a power of immense size (he alluded to Russia,) had been established. Besides, though Lorraine, Alsace, and Franche Comté, had been unjustly subjugated by Louis 14, still, from the length of time that had elapsed since the conquest had been made, from the intercourse which had taken place between the people, by which the French language and French manners were introduced, those provinces might be truly denominated French. With respect to the keeping up of a military force on the French soil, it appeared to him to be a most judicious measure. After twenty five years of illegitimate authority in France, it would not be wise to leave that country to herself. The flame had been extinguished, but still it was necessary to watch the embers, lest they might again be fanned into a flame. It would be a mockery to place Louis the 18th. on the throne, surrounded by danger, without affording him assistance to enable him to maintain his authority. All Europe called for his restoration; our counsels and our arms had raised him to the throne; and having placed him in that situation, they were bound to support him there. In conclusion the hon. gentleman protested against any hasty reduction of our establishments. It was our duty to take such an imposing attitude as would enable us to watch over the peace and prosperity of Europe.

Sir *James Mackintosh* said, that it was by no means his intention to follow the noble lord through the immense extent and variety of details of which his station gave him the command, and his duty induced him at so great length to lay before the House. As to what had just been stated by the hon. gentleman (Mr. E. Lyttelton) with so much spirit on the glorious victory of Waterloo, though he did not perceive its connexion with the question of the policy of the treaty (otherwise than as great victories entitle the victors to advantageous treaties), yet he embraced with pleasure every opportunity of expressing his joy at that glorious victory, which, if he were speaking in a neutral assembly, he thought might be safely described, both by the splendour of its circumstances and the magnitude of its results, as the most memorable in the annals of mankind. Such, indeed, was his sense of its unspeakable importance, that he conceived it to be underrated by the noble lord, who had told the House that the military means of the allies were such as to have ensured the success of the war even if the battle of Waterloo had been lost. In a limited sense, in the narrow view of a mere military calculator, perhaps this assertion might be true. But who can calculate the effects of the loss of that battle on the spirit of France, or on the union of the confederates? Were there no jealousies scarcely dormant which a defeat might have called out into activity? Might it not have afforded more than a pretence for lukewarm allies to begin to slide out of the alliance;—for reluctant powers of the second class to escape from the protection of their formidable friends;—for popular disaffection to break out?—nowhere more probably than in the very scene of the war. It might have released Napoleon from the restraints on his authority in France. It must have increased the enthusiasm and confidence of the army. It would probably have revived the military spirit, and bestowed on the government a popularity of victory. The allies might indeed still have had the means of subduing France, even in spite of a defeat; but a defeat might have dissolved the alliance, and thus dispersed all its means of war. It was only by keeping out of view the moral and political effects of that unparalleled victory, that the event of the war could be represented as independent of it, and secure, even if that day had terminated in an equally signal defeat.

In hastening to the true and sole question before the House—whether the treaty with France deserved the approbation of parliament? he should be very little delayed by shortly stating his opinion on some general topics of great importance, but not in his view necessary to the decision of the present question. On the subject of legitimate government, he entirely concurred with his noble friend who had moved the amendment. Legitimate was only another word for legal, or rather for lawful. A legitimate government was one of which the title was founded on the laws, and the powers exercised not only according to the laws of the state but according to the inviolable rules of justice and humanity. An authority exercised for the people agreeably to the rules of justice and law was doubtless, in the highest and most sacred sense, legitimate. The destruction of such legitimate government was the greatest curse, and its restoration the greatest blessing that could visit a commonwealth. But as nothing was more venerable than legitimate government thus justly understood, so nothing could be more questionable and dangerous than the manner in which that respectable language had been lately employed in France; where sophistry now lent her colours to the most extravagant pretensions of tyranny as formerly to the wildest visions of anarchy.—As legal authority exercised beneficently was legitimately entitled to claim obedience, so the most legal title to authority might be forfeited by its abusive exercise. There might be a legitimate resistance as well as a legitimate authority. It was as needless to maintain, as it would be fruitless to controvert these principles, in an assembly which owed its power, its greatness, perhaps its existence, to a successful exercise of the right of resistance: For hereditary monarchy, as a wise institution of civil government established and limited by law, founded on the general interest, and defeasible for a higher interest on an abuse of its powers;—in a word, for a monarchy like that which has existed in England since the revolution, he felt the greatest respect. For such a monarchy he felt inviolable attachment in his own country, and warm approbation in others. But towards that pretended legitimacy which recognized law neither as its basis nor its control; which disdained the feelings as well as the rights and interests of the people; which considered nations an inheritable property, and power in any other light than as a trust resumable in case of abuse, he should ever avow undistinguishing and irreconcileable hostility.

For his own part also, he admitted that the allies entered France with all the rights of conquerors, nor did he contend that by any of their public acts or declarations they had renounced or narrowed these rights.—They had a right as conquerors to exact such conditions from France as might afford indemnity for past, and security against future wrongs. For the just exercise of such rights all conquerors were morally answerable to God and man. The advisers of the Crown of England were legally answerable in parliament for it, and they had this night put themselves upon their country to decide whether they had wisely and honestly exercised these rights of conquest. He certainly should not dispute the whig precedents quoted by the noble lord. It had already been remarked by his noble friend, that they were peculiarly unfortunate in their application. In both the barrier treaties, and in the quadruple alliance, these were indeed guarantees—but of what?—of a new family established in England by the revolution—of a government established by the parliament and people on the expulsion of their hereditary sovereigns. It was a guarantee of public liberty—of popular right;—a promise of the aid of foreign powers to resist the claims of pretended legitimacy, and to destroy all pretenders to the crown on such grounds, and all their adherents. There certainly might be a guarantee against rebellion. Such a guarantee was of a very equivocal and dangerous character, more liable than any other to abuse: but there might be a guarantee against all unjust attack. Beyond that, no guarantee, however general its language, could extend. There could be no guarantee to defend a prince against the just hostility of foreign states, or the just revolt of his own subjects. A treaty, which is a moral and legal compact, cannot have for its object to maintain injustice. A conspiracy to do or to help wrong is no treaty.

The noble lord had stated the grounds on which the allies had declined to guarantee what is called the constitution of France. Perhaps they were right, if a guarantee implied a right of interference in any subordinate dispute of French law or administration. He was ready to admit, that nothing could be more vexatious to France and pernicious to Europe. But as they had in substance covenanted to maintain the authority of Louis 18, as they remained in arms for that object which they held to be essential to the general quiet, they had undoubtedly contracted the strongest obligations to prevent him from using the power which they, in fact, gave him for the oppression of his subjects. Tyranny in the French government, systematical intention to destroy the laws which they had promised to observe, or cruelty in the exercise of legal power, not only released the allies from all obligation to support that government, but imposed upon them the duty of withdrawing support.

After several other observations on the general questions of legitimacy, and interference in internal concerns, he proceeded more particularly to the question, whether the conditions of the treaty were so advantageous and safe for Europe as the unparralleled success of the war had given us a right to expect.

He had, with pleasure, heard the noble

lord say, "that military policy was a monster in any country," and he had no difficulty in assenting to the position, "that no army was ever such a scourge of the liberties of the world as the French army," because he regarded armies as the scourge of liberty at home and abroad, precisely in proportion to their numbers, their experience, their skill, and their discipline. Their civil danger was proportioned to their military perfection. All that rendered them effective in war, made them the just objects of fear, jealousy, and odium in peace.

He could not but admire the discriminating scruples of the noble lord. He tells us that "the efforts of France in war were crippled by the dispositions of the royalists." He tells us at the same time that La Vendée had submitted before the victory of Waterloo. Yet he thinks this a division which the king of France is entitled to count in the negociation. Last year, however, the exertions of the Genoese people, without which the capture of Genoa would have been impossible, was considered as no reason for restoring that republic.

Besides the general interest of England to preserve the balance of power, she had two objects of continental policy of the first rank in her system. France was not indeed our natural enemy, but our natural rival and antagonist; the state which permanently most threatened all others with which we had most frequent and important subjects of dispute, which had most the means of annoying us; in fine, both by situation and interest the permanent counterpoise of England in the general system of Europe. To preserve the two states which are placed at either extremities of France on the shore opposite to us, from being conquered or constantly influenced by that predominating state, was therefore at all times a fundamental principle of our policy. To preserve the independence of Spain and Holland was a primary object, not only because it was necessary to guard against the ascendant or aggrandizement of France on the continent, but because they were maritime, commercial, and colonial states of great importance. To keep Spain out of the hands of France was the object of the war of the Spanish succession. The establishment of a Bourbon king on the throne of Spain ensured the ascendant of France in the Spanish councils. But the treaty of Utrecht, amidst all its demerits, had some frail and precarious guards against the formal reduction of Spain into a French Province. The renunciations of the French crown by the Spanish Bourbons, however illusory they might have proved in the hour of trial at least recognized the principle of separation, and declared that the incorporation of these two monarchies would be a just cause of war. That frail security was now destroyed by the non-renewal of ancient treaties on the present occasion. The Bourbons of Spain were released from their renunciation of the Crown of France, and there was no obligation of public law which could prevent the crowns of France, Spain, and the two Sicilies, from being united on the same head: nor let it be said that the danger is visionary. The branch reigning in France might soon become extinct. And short of that event, the possibility, and still more the hope of the succession must give a French character to the policy of the Spanish Bourbons. Another important provision of that unfortunate treaty remained without renewal. One of its articles prohibited the cession of any Spanish colonies in America to France. This article might be considered as one of the fundamental conditions under which Europe had, by a sort of tacit guarantee, secured to Spain the possession of those vast colonies which she was herself too feeble to maintain. That condition no longer exists. The danger provided against is now perhaps greater than at any moment since the peace of Utrecht. Spain is unable to reduce her revolted colonies. The cession of some would be a small price for the recovery of the rest. France, on the other hand, has an army from which the present government would gladly be delivered by any foreign occupation, covered by so decent a pretence as the acquisition of new American dominions.

Circumstances had, indeed, provided a substitute for the treaty of Utrecht which, better than all stipulations and engagements, might have secured Spain against the influence of France. The events of the Spanish revolution had created a new antigallican spirit in the Peninsula. The fraudulent, faithless, and cruel invasion of the country had naturally exasperated the ancient prejudices of the Spanish people against their neighbours. And if a powerful popular assembly had become a permanent part of the institutions of Spain, the French propensities of a Bourbon court might have been controlled by the Spanish feeling of the people and their representatives. A popular government in that country was likely to become the chief antagonist of the most formidable enemies of England. A Spanish cortez were likely to have been antigallican, if not English, in their sentiments. A Spanish despotism must lean upon France. The destruction of all popular institutions and principles in Spain is in this, as well as in many other more important respects, a severe blow to the permanent interests of England.

On the northern frontier of France was Holland, of which the security had always been and must ever continue the first single object of the foreign policy of this country. Since the existence of the Dutch Republic it had always been considered as essential to her safety that she should have a strong barrier against France. From the final recognition of her independence at the treaty of Westphalia, she had never in fact been without such a barrier. It was an established principle, that the Catholic Netherlands guarded by strong fortresses should be interposed between her and France, and held by a military power of the first rank. From the treaty of Westphalia to the treaty of Utrecht, this barrier was intrusted to the Spanish branch of the house of Austria. From the treaty of Utrecht to the French revolution, it was committed to the German branch. They had always been in the hands of a power too distant to seek aggrandizement at the expense of Holland, and strong enough either to defend them against French invasion, or to recover them, if they were over-run by a victorious French army. The whole of this ancient system was now over-run: Holland was exposed without a guard to the attacks of France. The noble lord had made her a more tempting spoil without giving her a stronger defence. For, supposing that it was politic to incorporate the Catholic aad Protestant Netherlands, it was evidently necessary to give as much additional strength to the frontier of the new state, as had been lost by a great military power no longer guarding the barrier. In this respect, the Netherlands materially differed from Germany. However defective and insecure the frontier of the empire against France might seem to be, whatever imperfections might be discovered in it by a military eye, at least it must be owned, that without material inconvenience, this frontier had continued nearly the same for a century and a half. Experience showed that it was a demarcation compatible with tolerable security to the German States. But the present state of Holland was a new experiment; she had never existed for a single instant with so little security against France as that to which she is now reduced.

This consideration led to the general question of a comparison between the advantages of territorial cession, and those of pecuniary indemnification. And on that subject he should begin by entirely laying out of the question these extensive and as he thought, monstrous cessions of territory of which the noble lord had spoken. To speak of a third or a half of France, was in truth to threaten her with the fate of Poland. The dismemberment of France was an odious and alarming sound. It was one of the essential conditions of the European system, that France should continue independent, secure, and powerful, in the first rank of great states. All projects of partition he abhorred in their principle, their effects, and their example, and especially in their application at the present moment to France. A cession of fortresses to secure the frontier of a weak neighbour, was to be balanced against a pecuniary indemnity; such a cession had nothing alarming to France, because it was a mere defence to a state too feeble ever to be an aggressor. It was not humiliating to France, because it was not transferred to an equal or a rival. Fortresses on the side of the Netherlands could be valued by France only as means of conquests; solicitude for their preservation was almost an avowal of projects of ambition. Such a cession could neither be a bye danger to the quiet of Europe, nor "an apple of discord" thrown among allies, whom the noble lord now represented as in such danger of being changed into enemies. He should not approve any cession of which the object was, to weaken France, or in substance to change the place which she had occupied in the European confederacy. But he owned he thought that it would have been perfectly reasonable to have taken from her such fortresses on her northern frontier, as would render the barrier against her in that quarter, as strong as it was before the war, which should compensate to Holland by a military bulwark, for the political guards of which circumstances had deprived her.

With respect to France, the question

was comparative. Such a cession would have strengthened Holland; it would thereby have given some lasting security to Europe, while all the securities now provided were temporary. What would it be in comparison with the pecuniary contributions to France? Cession of territory is the usual misfortune of the vanquished; tribute has rarely been imposed upon a state of the first class in the modern world; it is ignominious, it is a protracted irritation, it is a remembrancer of defeat and disgrace; it keeps up and exasperates the vindictive spirit of the French against the conquerors, and against the sovereign whom these conquerors established. The king of France was for five years, to appear to his subjects as a tax-gatherer for foreign conquerors. On a cession of territory the king would suffer with the nation. In the system of contributions the nation would appear to suffer by the king. Defeat, degradation, every galling irritation which attends the collection of tribute for five years, were the remembrances which the present treaty seemed to him to connect in the minds of the French people with the restoration of the house of Bourbon.

After some other observations, he concluded by observing, that his strength at that moment did not allow him to offer at large his reasons for dissenting from a treaty which, as the fruits of the battle of Waterloo, proposed an income tax and a standing army of a hundred thousand men, and which, as it adopted the whole defensive part of the treaty of Chaumont, but the occupation of the French fortresses, proclaimed the opinion of its framers to be that the security of Europe required as many safeguards against France under Louis 18, as it had against France under Napoleon Buonaparté.

Lord *Nugent* rose and said:—Sir I am anxious not to come to a silent vote on this question. Thinking and feeling as strongly as I do, I wish to express my concurrence in a vote conveying the censure of this House on the terms of a peace, in my opinion, at once extravagant and oppressive, insecure with regard to our foreign policy, and highly dangerous to our best interests at home. Sir it is natural that on a subject which necessarily involves topics so awful to approach and so important in their discussion, I should feel and acknowledge my entire inability to do justice to the opinions I entertain. I should, indeed, be destitute of every good and proper feeling, could I attempt to disguise this, even from myself. But, I feel at once my confidence and my strength, in the real consciousness of what are my own motives in thus addressing you, and in the conviction that there are persons within these walls, well competent to supply what my inexperience or incapacity may omit, and to give authority and effect to those sentiments which, in common with them, I entertain. For my own part, on a subject so widely extended, comprising so large a scope of discussion, including the gravest and most vital questions of foreign policy, and of international law, on that extensive field it would ill become me to enter. I shall place my opposition to the treaty within a far narrower compass on a more confined and insulated ground, but, on one, in my opinion perhaps, of all the strongest and the most important to us.

Sir when I learned, some time ago, by rumour what were then supposed to be the articles of a negociation of peace with France in the contemplation of his majesty's ministers, there were some of those articles which I confess filled me with astonishment. Many of them I was sincerely inclined to regret. One of them I was heartily disposed, for I felt deeply anxious, entirely to disbelieve. We are very apt I believe (sometimes perhaps unreasonably), to doubt the existence of a fact which we deeply deprecate. Such, Sir, was my case,—I could not believe, for I sincerely hoped it was not possible, that an English minister could have put his name to a certain article which is contained in this treaty. I find, however, that my hopes and my belief have been together deceived. I find, by the papers now before us, that we have purchased peace at the expense of an article pledging this country, as matter of prerogative, and without previous reference to parliament, to the keeping up, during a considerable time of peace, a large British force, entirely supported by France, as a standing army in that country; a measure, Sir, I believe I am warranted in saying, as perilous to us, with regard to our future relations with that country, as pernicious to the honour, to the interests, and to the moral state, of that army itself, but, principally, and above all, a measure as subversive of the first principles of our civil constitution, as has ever been attempted in the worst times of the English history.

There are, Sir, moments, I grant it, in

which the necessities and the dangers of a state may demand that the stern tone of constitutional remonstrance may, for a time, be moderated, nay be perhaps partially silenced, in consideration of the great evils of popular division. Among interests of an importance yet more vital to the state, when the life of the community is immediately menaced from without, and its energies are to be promptly roused in the common cause of self defence, some partial and temporary sacrifices may, perhaps, under circumstances, be allowed, sacrifices I mean of civil right for political safety. But, these qualifications of that duty we all must feel imposed on us of guarding even the approaches of that constitution committed to our charge must cease, whenever that unnatural position of affairs shall have ceased which first recommended and justified these qualifications to us. A nation, which, like our own, has, by unprecedented exertions, by unprecedented sacrifices, ensured her safety from without, must in time return to the re-assertion of her rights at home, and she must hail the moment of a cause triumphant, of interests protected, of independence secured, and of peace restored, as the period when at length the ancient principles and ancient habits of her civil constitution must re-assume their former station and sway. Such is now the position of this country. A long and an arduous warfare has put the public virtues of England to a severe, but to a triumphant test. Among those public virtues, a generous, a profuse, confidence in the executive government has ever been foremost. The British soldier, and the British citizen, have, like brothers encountered their respective hardships, their respective sacrifices, together. Nor did the British citizen, in the course of that awful struggle, ever look back (as he might have done) with weak regret, at the constitutional securities he, for a time, left behind, at the constitutional benefits he, for a time, nobly disclaimed. But, Sir, that blessed earnest of our constitutional security, our jealousy of a standing army, a jealousy which it would perhaps have been unmanly and frivolous, in the course of such a struggle, too fondly to indulge, it would now be crime to dismiss, or even to disguise. A military system has advanced with rapid and fearful strides upon us, and it now requires a more than ordinary energy and firmness to save our country from its influence. The danger is of no common nature, and of no common magnitude. We have to stem a torrent, which our own necessities, and dangers, may have contributed to swell, but which I fear the interests of some, and the indolent inattention of many, have suffered to gain a height, from which it now threatens to burst forth, perhaps to overwhelm all that remains of our civil freedom to us.

Sir, I may very probably be accused of viewing the inroads, which a long war has made on our constitution, in an exaggerated light.—I may very probably be accused of viewing them with the eyes of a young man, who thinks (vainly perhaps), that he detects, in the best and wisest measures of executive wisdom, some attack on his speculative and visionary notions of public liberty. I hope to God it may be so. I hope to God that I may be deceived. I am speaking to older men than myself, but I should consider even myself a traitor to my country's best interests, did I not, when I think I see her constitution vitally and furiously attacked, raise my humble voice at least to protest against measures which, as I view them, menace no less than the erecting a military system on the ruins of our popular freedom.

Sir, I do not believe it of the English parliament or people, and, therefore, I trust I never should be found to impute to them, that their jealous love, their almost religious veneration for their civil rights, their resolution never to endure that those rights shall be insulted or overawed by the presence of a military force is felt or acknowledged less warmly by them than by those ancestors from whom these prejudices, these opinions, these blessings are derived.—I do not, I cannot, believe, that the experience of the last five-and-twenty years (exhibiting as it has to us the miseries, the disunion, the degradation, of successively every nation in Europe but our own) can have taught an English parliament or people to undervalue that purity of civil constitution, to which I believe that (under Heaven) we owe that sense of common interest, that unshaken love of country, that intrepid and dignified resolution, which has hitherto accompanied our efforts, and has conducted them to a glorious issue.—I do not believe that the contemplation of such effects can have taught us to undervalue the causes of our strength.—But, Sir, I do believe that a state of active exertion for the last five-and-twenty years, a struggle against a powerful and inveterate foreign enemy, a struggle which has filled up the whole measure of the recollections of most of us, may have disused us from the way of thinking and speaking on our rights as citizens, which, in better times, was familiar in this House, and which it is now high time for this House at length to re-adopt.

But then, Sir, we are asked, in what consists this violation of the constitution complained of? We are reminded, on the subject of an article engaging this country, during peace, to furnish a contingent of troops to France, that such an engagement it always must remain with parliament to give effect to. An analogy has been attempted to be drawn between this engagement and one of a subsidiary nature, and we are told that this article was thus entered into on the one hand, and received on the other, conditionally.—That those powers with whom we treated were aware that it was necessary for parliament to give to the Crown the means of fulfilling those engagements,—and that ministers now come to parliament to be enabled to give effect to this article. All this, Sir, I am perfectly ready to admit.—Nor do I deny the possibility of a case being made out, strong enough to justify parliament, even in such a measure as the enabling the king to keep up during peace, a British force in France. But such a case must be made out very strongly indeed, before I think the House can be justified in reposing so formidable a weapon in the hands of the Crown and of its ministers. But, even supposing for a moment such a case to be made out, which I think it would be difficult, but for the sake of argument, to admit, supposing such a case to be established, what is then the excuse, what is the palliation, of ministers, who, while such a definitive treaty was actually on the point of being ratified, dared to prorogue parliament for a period almost unprecedented, unprecedented indeed, unless gentlemen are prepared to have recourse to the foul times of James the 2d for a precedent.

Sir, I heard the explanation attempted to be given some nights ago on this point by the right hon. the chancellor of the exchequer, and I am sorry to say that, in my opinion at least, so far from that explanation being satisfactory, it puts the slight which has been passed on parliament on yet more prominent grounds. I cannot, in the first place, admit as an explanation the fact of the ratification having been delayed for a time so disproportionate as two months after the signature of the definitive treaty. But even supposing this delay to have been necessary, I think it was then the paramount duty of ministers to meet parliament, even upon the definitive treaty, to take the sense of parliament, and to demand its sanction, on an article so abhorrent from the principle and practice of the constitution. The extraordinary provisions of the stipulation demanded, I think, in this case, a departure from the general forms permitted to the exercise of royal prerogative. Sir, if ministers can delay a ratification, without explaining the causes of that delay, for two months, they can do so for any length of time, and, in the mean while, the definitive treaty carries into execution a stipulation, by which, contrary to the laws of the land, a military force is kept up, without consent of parliament. Ministers, have dared, Sir, to tell the British parliament that, with a standing army at its gates, it is not to meet, until the necessities of the state call aloud for a supply.—They have dared to leave the gentlemen of an English House of Commons to collect their first information on such subjects as a treaty of peace, and a standing army, from the garbled reports of a French senate.—Sir, the French king has behaved better to his enslaved and fettered parliament, than the advisers of the English Crown have to us. Louis has met, has communicated, long ago with his parliament. The Prince Regent has been advised to do an act which the letter as well as the spirit of the British constitution forbids, and has been advised to trust to the absolution of parliament whenever it shall be no longer possible for him to go on without meeting it. There is, in my opinion, in this part of the conduct of his majesty's ministers, a character of such irreverent, of such unprovoked, of such intolerable, neglect and contempt of the high authority of parliament, that I think the dignity of this House is compromised, if we do not meet it with a firm and instant remonstrance.

But, new and unexampled, Sir, as this actual neglect and contempt of the high authority of parliament has been, the spirit in which it is conceived has long been matter of grievance to us. We cannot, and we ought not, to disguise it from ourselves, that, for years, the high functions of parliament have been on the decline,—

That, for years, as by degrees, the influence of the Crown has grown in upon the constitution, that, for years as the unnatural and stormy times in which we have lived have thrown additional power into the hands of the Crown and of its ministers, an unwise and an unbecoming project has been conceived of ruling without reference to parliament, of by degrees questioning, not only the expediency, but even the right of parliamentary interference. Sir, I think this project is not wise,—I am sure it is not becoming. I think it is not wise, in a state, the powers of which, as in our own, act, as it were, in compound motion, to mutually support, and control, each other, for one power to arrogate to itself a perpetual influence, which it cannot in perpetuity enjoy, without endangering the motion of the whole machine. I think it is not wise for one estate to provoke, as, by neglect and, insult, it at length must provoke, the remonstrance and jealousy of the other two. I am sure, on the other hand, that it is not becoming, after such a struggle as that which the people of England have endured, after such sacrifices as they have made, and after such confidence as they have lavished, to take them, thus unprepared, their senses not yet sobered from the intoxicating effects of so long, so active, and so gigantick, a warfare, their wishes unconsulted, and their parliament not communicated with, and thus to hurry this country forward to a stipulation, unprecedented in the annals, and unauthorized by the laws, of the realm.

But then, Sir, there is a question that occurs, but is one in itself of such a nature, that it would be little less than insulting gentlemen to anticipate it, were it not one that, in common conversation on this subject, is often objected.—An argument of which some of the public prints of the day have been found to avail themselves. Where is this infraction of the constitution? Where are the constitutional authorities which have declared against the legality of keeping up a standing army in time of peace, provided that army is not kept up within the realm? You find no such authority in the bill of rights, you find it not in the common or statute law of England. Sir, I have always understood that one of the great merits of our ancestors of the year 1688 was, that they confined themselves to the legislating against these immediate evils, of which the constitution had just felt the effect. The constitution had nearly been overthrown, and the laws of the land rendered of none effect, by the presence of a military force within the realm in time of peace. It was against this immediate evil then that the parliament of those days legislated. But, Sir, not only in their general jealousy of standing armies, but on the precise nature of the dangers to be apprehended from standing armies, our ancestors have spoken through every organ of their constitutional law. They have told us that to keep up a standing army in time of peace, within the realm, without consent of parliament, is illegal.—And they have told us why.—Because such a force is peculiarly calculated to be rendered a dangerous instrument, in the hands of an arbitrary court, to overawe parliament, and to assail the liberties of the people. Will any gentlemen, Sir, venture to assert that this danger, so explicitly, so boldly, and so frequently, pointed out by our ancestors, is placed on less strong or prominent grounds by the fact of this unconstitutional force in question being to be kept up on the other side the Channel, and within four-and-twenty hours of our own coast? The nature and principle of the danger is the same. Cases of this sort are cases of principle, and not of precedent.—It is for us to make the application. The spirit of our constitution, like that of our religion, is, in part, unwritten, but it is not therefore vague or undefined. Even in the slavish period of the first year of James 2, before the danger of standing armies had been pointed out, or their illegality declared, by either the delaration or the bill of rights, the first opposition which was raised, in the parliament of 1685 to the measures of that arbitrary prince was on his having been advised to raise, during a recess of parliament, a few regiments to supply the deficiences of the militia system. What was the ministers' defence then? No less a one than war threatened from without, and rebellion raging within the country. Argyle and Monmouth had actually been in arms within the realm. And yet, even at that time, even that submissive and slavish parliament felt it to be its duty to remonstrate with the king, on the having raised these few regiments, and, instead of a supply, the committee voted a resolution, that "a standing army is subversive of the liberties of the country."

In the exceptions voted to the bill of indemnity, in the first of William and

Mary, we find that it is declared a high crime and misdemeanor to advise the raising or keeping up a standing army, without consent of parliament in time of peace. And here there is no mention of whether within or without the realm. If then we say that the keeping up a standing army in time of peace, without consent of parliament, is not illegal, provided that army be not within the realm, we impeach the resolution of that committee, and we impeach the declaration of the convention parliament. But, Sir, I feel that I ought to apologize to the House for wasting so much of its time on this part of the subject. Nay, I feel that I ought almost to apologize to his majesty's ministers for imputing such a defence to them. Nay more, I think that my vote to night may rest on its being capable of demonstration, that, in no other position or destination whatsoever, can an army be rendered so dangerous to our liberties, so offensive to our constitution, as to that very position assigned to our army (of occupation as it is called) in France.—And in order to satisfy ourselves on this point, we need, I think, only consider, 1st the destination of that army, 2dly its duties, and 3dly, the means of its support.

It has been said by an eminent writer on this subject, that, "in a free state, the control of that necessary, but dangerous, body, the army, should be peculiarly within the power, and always under the jealous supervision, of parliaments. No army should be maintained, but for the protection of the country and its laws. All beyond makes the army an instrument in the hands of arbitrary power. To prevent then the executive power from being able to oppress, the armies with which it is entrusted should consist of the people, and have the same spirit with the people. Nothing should be more guarded against than making the military force, when such a one is necessary, a body too distinct from the people. It should live intermixed with them, and a constant circulation should be kept up between them."

Now, Sir, how does this apply to the position of that army of ours which it is now proposed to keep up in France? How is that community, that circulation of interests, to be maintained between the people of England and an army quartered in France? An army doomed to an indolent listless participation in all that is contagious in French habits, in French politics, and in French morality.—Doomed to witness, perhaps for years, a people enslaved, yet tranquillized by the very force that enslaved them.—A people, either gloomy in the impotent consciousness of their own debasement, or perhaps worse, lost in thoughtless profligacy, and revelling over the grave of their ruined fortunes and their fallen honour.—To witness a government, itself the badge and symbol of that country's overthrow,—a throne raised by foreigners, and a sceptre too weak to protect even its own people, a government, at once disliked and feared, yet supported, fenced round, and upheld, by the irresistible influence of the bayonet and the sabre.

Is this a scene to exhibit to a British army?—Is this a lesson in which a British army is to be instructed?—At least, if a British army is to be enured to such scenes, and instructed in such duties, are these the circumstances under which they are to be considered as no longer capable of ever being made a dangerous instrument against the public liberty of their own country?

Too well, Sir, is that army likely to be instructed in all the duties required by an absolute monarch from a standing military force. Too clearly have the natural objects to which an arbitrary court must ever wish to direct the influence of a standing army been recognized and pointed out in the directions contained in the official note of the accredited ministers of the four allied courts, addressed to the Duc de Richelieu. They "think it their duty," —I quote the words of that memorable instrument,—"They think it their duty to give some explanation to his excellency the duc de Richelieu, as to the nature and extent of the powers attached to this command." They profess to "be very far from having any intention of employing their troops in aid of the police, or of the internal administration of France, or in any manner that might compromise, or interfere with, the full exercise of the royal authority of that country." What then is the nature, and what the extent, of the powers they propose? "In consideration of the high interest which they take in supporting the power of legitimate sovereigns, they promise to his most christian majesty to support him with their arms against every revolutionary convulsion." But then it all ends, taking into consideration the doubts that may arise, and the difficulty of framing instructions sufficiently sweeping to meet every object in view, it ends in leaving it to the discretion of the illustrious commander of these troops to judge when, and how, the troops are to be employed,—directing that illustrious commander himself "to be in constant correspondence with the four allied powers, and to take through them any suggestions or requisitions which the court of France may in future wish to make to him." Gracious God, Sir, can any form of words speak plainer? Can any form of words more fully define the odious trade of a standing army in time of peace? Of the great and gallant commander of this ill-employed force, of that gallant army itself perish the Englishman that would be tempted to speak, but in terms of gratitude, and of respect. Illustrious in rank, in station, and in influence, but a thousand times more illustrious in the acts by which that rank, that station, and that influence, were won, the duke of Wellington deserved better of his country, that army deserved better of its country, than, after all the dangers it had confronted, all the toils it had undergone, all the glories it had achieved, to be reduced at length to the condition of the watchmen, the gaolers, the executioners of the French government. What is the spirit, nay what are the terms, in which that army is instructed? To quell, to keep down, to punish, every act of the people by which they may strive in future to win (by which alone we ourselves, or any nation ever succeeded, in winning), a free constitution from its rulers. To crush and blot out the popular part of the French government, to disfranchise the people, and, through all changes and chances, to assert, to vindicate, and to maintain, that principle long ago exploded in this country, but, now, in the nineteenth century, revived in France, of passive obedience, of non-resistance and the divine right of kings. And in this odious and profligate creed, in these triumphs of armed force over freedom, and over justice, a British army is to be instructed, practised, and made the instrument, in order to prepare that army to return at the last, to be restored a numerous and valuable body to the great mass of the people of England. It is to return, after having been made party to an experiment, as it were, *in corpore vili*, of how far, when the morals of a great nation are destroyed, its pride may be insulted, its liberties subdued, and its government bowed under the fourfold yoke of a foreign confederacy.

I own, nevertheless, that it is not for the humiliation, for the grievances, suffered by the French nation, for all they have lost, and all they probably must yet endure, that I bear any sympathy with them. As an Englishman, I rejoice at their humiliation, as a moralist or as a philanthropist, I cannot pity their sufferings. Were that humiliation, or those sufferings, unmerited, even then, the gigantic danger by which I see my own country menaced, would pre-occupy every feeling, and pre-engage every effort. But I see no claim whatever that the French nation can lay to my sympathy, or even my commiseration. Thus much I cannot disguise, although in the expression, it may be my misfortune to differ from some whose authority is the most venerable to me.—Yet, for these very reasons, on account of the very disgust that I feel for all those qualities by which I think the French character is recognized, I dreprecate, I protest against, dooming an English army for five years to scenes and to society, unparalleled, I trust, in the worst recesses of English depravity. To doctrines of political falsehood, to examples of private profligacy, almost unexampled, the one in the theory, the other in the practice, of all civilized regions, and of all civilized times.

From the temper and manners of the French I have all to fear, as to their influence on our army. A mean unprincipled prostration to power without enthusiasm, affection, or feeling, as its excuse. An abandonment of every tie, political, honourable, moral, and religious, without even that animal strength of character from which relaxation of morals is generally found to proceed. Profligate and profuse in profession, and yet overwhelmed by an unnatural apathy, cruel without energy, bigoted without religion, and bound by no common bond of social honour, but what may have been, for temporary objects, set up in some military code, or suggested at the discretion of some military despot. Such I fear to be, but too general and too truly, the vices attributable to the French character. I trust there are some and many exceptions.—God forbid that I should not believe that there are many exceptions.—Thus much however, I fear, is but too truly and too generally to be predicated of the French character. At least such it has appeared to me, as exemplified in the conduct of every prominent party in that country. Of the two extremes of French party, the revolutionists on the one hand, and the ultra-royalists on the other, have by turns deceived, oppressed, and betrayed, each other and their country, while the government, weak, undecided, and faithless, violates its charter to the people, to set them an example of public fidelity, and privately punishes a notorious and convicted traitor, to teach them a lesson of public justice. It has long been the perverse destiny of France to flutter indeed around the sweets of justice, and of freedom, to brush them with her wings, but always, in the end, to settle, fatigued and exhausted, under the shadow of a despotism, which, whether of a directory, a consul, an emperor, or a king, seems almost congenial with their natural feelings and character.

But then we are asked, what is all this to us? What reason, nay what right, have we to criticise the interior administration of the French government? What have we to do with the injustice of French laws, or the oppression of French domestic policy? Nothing, I think, sir, under heaven. And had such been the impression acted on by his majesty's ministers, we should not have been called upon for the vote of to-day. As Englishmen it can little concern us, in what manner a French king rules over his own people. Whether his acts be just or unjust,—whether his intents be wicked or charitable,—whether his measures wise or the reverse,—truth is still as great, final justice as irresistible, and providence as watchful over France as over the rest of the world. But with the opinion which I have taken the liberty to express as holding of the French nation and government, I cannot but rue the day in which ministers, illegally as I think, sacrificed so large a portion of the British army to the pollution of such habits and such example.

Sir, I am deeply anxious for the continuance of peace in Europe. I think that permanent peace is only to be purchased by shackling the arms of France. But, if there were no other means left to shackle the arms of France, I would not, even for peace, on the one hand sacrifice a British army to the influence of French example, nor, on the other, would I begin a system of security abroad, by a violation of constitution at home. "Aut propter vitam vivendi perdere causas." Compared, Sir, with such evils as I have described, (great as I grant would be the calamity, should the destinies of France be again wielded by an arm so powerful, by a genius so gigantic, or by an ambition so restless, as those of her late emperor, great as I grant would be the misery and confusion rekindled in the bosom of Europe, by a re-assertion in arms of the people's will against the existing government,) yet, compared I say with such evils as I have described, of how little importance it is to our true interests, what scenes of retributive bloodshed and devastation may again present themselves in France, or, still less, to what family or individual the misfortune may be decreed of ruling that unprincipled and degraded nation.

It cannot nevertheless be denied that there are advantages imaginable, as resulting out of our occupation of France, of sufficient importance to justify almost any sacrifices, short of the constitution. Circumstances certainly might be imagined, under which it might be worth while, at almost any rate, compatible always with the constitution, to uphold the influence of a dynasty, which we have enthroned, through so many chances and changes, and at the expense of so much blood and treasure. But then the question still returns.—As there are certain sacrifices more than commensurate with any advantages whatever, is this advantage of sufficient importance to justify the means proposed?—And again, might not this end have been as well accomplished, and better secured, by easier and less objectionable means? It may perhaps reasonably be thought that the securing the Bourbons upon the throne of their ancestors cannot but be an object of considerable importance to this country. The splendid and venerable antiquity of that line, of itself, sheds an imposing lustre round the throne and its connexions, while the mild and placid virtues so generally, and I believe justly, attributed to the king, but, above all, while the undoubted political weakness of the whole of his government, give the best earnest to Europe that, for years at least, France will neither have the inclination to rouse, the interest to prompt, nor the means to support, an aggressive system on her part.—But there are certainly sacrifices imaginable which even this object could not justify, and these sacrifices I think ministers have made.

With all the triumphs of this country at his back, with all the advantages which the high character, the commanding station, the glorious exertions, and splendid success of England could give him, the noble lord opposite had the duty assigned him of making peace with a conquered enemy.

An enemy whose resources lay at his feet,—whose territory awaited his allotment.—A power to be established and secured only by the depriving that gigantic state of the means which she had, for the last hundred years, employed for nothing but the disquieting and insulting her neighbours.—A peace, on whose security was to depend the tranquillity, the safety, the independence, of Europe. What was it not in the power of the noble lord to do—(holding the tone and language which it was his duty as minister of this great and glorious country to hold among the potentates of Europe,) what was it not in his power to do? France lay naked and prostrate before him, surrounded still with the spoils of a century, and still girt with the instruments of that power which had twice enabled her to menace, and nearly to effect, the subjugation of the world. Lorrain and Alsatia were prominent features both of her former spoliation, and of her present strength. Tracts of country, (the latter especially,) bound by no ties with France, either of habits, of prejudices, of interests, of religion, or even of language. Tracts of country peculiarly fruitful in the means of aggression, and against which it had long been found necessary for Europe to erect her strongest barrier. Can we look at the means which surrounded the noble lord on every side for curtailing the power of France, and insuring the permanent tranquillity of Europe, and can we fail of seeing what, with these advantages, he might have done? Yet with this conquered, but still restless, enemy, with this enemy whose means were in the hands of the noble lord, of whose means Europe had been for the last hundred years striving in vain to disarm her, the noble lord concludes a peace, which, by his own showing, is so weak and insecure, that its security can only be obtained by an actual surrender of one of the most vital points of our own constitution.

Sir, if the noble lord tells us that these sacrifices are necessary,—if he tells us that, without them, peace could not be purchased or secured,—let me ask him under what circumstances, within the dispensations of Providence, peace can ever be secured without these sacrifices? Can the noble lord, however long and however brilliant may be the political career to which he aspires, ever look to the concluding a peace in a posture more miraculous in its advantages than this? If not, does he mean to tell the British House of Commons that peace cannot, under whatever circumstances, be concluded, without in consequence letting loose on the constitution of England that many-headed monster—a standing army.

Sir, if I had not already exhausted, as I fear, too much of the time of the House, and trespassed too much on its indulgence, I might wish to call its attention to the means by which the British force, thus engaged for with France in this treaty, is to be maintained. This is however a point which it may yet be left open to us to discuss in voting the estimates for the year. But I cannot sit down without expressing a wish that, when that time shall arrive, this House may give a decided and a firm opinion on a measure, which, at once, throws an army of thirty thousand Englishmen into French pay, disposes of them as hirelings to a foreign nation, and for a sum which ministers have already told us is to be considered, not as the property of England, but as the droit of the Crown. Of this, Sir, I shall only now observe, that it places a large English army under the immediate influence of a foreign prince, subject only to the directions of this newly-recognized power, the European confederacy,—and entirely removed from within the control of British law and of the British parliament. If this force be within the spirit and purview of the constitution, then the annual vote of money is rendered useless as a security, the mutiny act is rendered useless as a security, and the Crown is at all times enabled, by negociation with other princes, to vest, in their names, for its own use, an influence and a power, which our law has hitherto wisely professed to withhold from the Crown, excepting as conferred and authorized from time to time by the people represented in parliament. Sir, on all the grounds which I have mentioned,—on others which have been ably discussed and enforced by many gentlemen who have preceded me,—on every notion I have ever formed of English policy,—on every principle I have ever conceived of English constitutional law, as applicable to the question of to night, I must second by my vote the opinions I entertain of this treaty.

Mr. *Tierney*, in consequence of the lateness of the hour, and the number of members who yet wished to deliver their sentiments, moved the adjournment of the question to the following day, which was agreed to by the House.

The House adjourned at half-past one.

HOUSE OF COMMONS.

Tuesday, February 20.

KENNET AND AVON CANAL BILL.] On the order of the day for the second reading of the bill to increase, alter, and regulate the rates of tonnage and wharfage, cranage, and other duties granted by the 34th of the king, for making the Kennet and Avon Canal,

Mr. *Lockhart* opposed this bill, the object of which, he said, was, to enforce additional tolls on boats navigating the canal in question, on the ground that no parliamentary reason had been assigned in the preamble, for its introduction. If the persons who undertook to form this canal could not obtain all the profits which they anticipated when they first entered upon the speculation, he thought that was no reason for levying a new burthen on the public, to reimburse them for their own imprudence. If parliament agreed to such a principle, there would be an end to all economy in such undertakings, and the strongest inducements would be afforded to foolish and ill-founded speculations. The hon. gentleman concluded by moving, that the bill should be read a second time this day six months.

Mr. *Dickenson* also spoke against the bill. It was, he said, an attempt to impose a tax upon the buyers of one of the necessaries of life, the coals conveyed by the canal.

Mr. *Charles Dundas* spoke in favour of the bill. He observed, that this canal had been formed at an expense of 1,200,000*l.* and that the old shareholders of 40*l.* each, received but 15*s.* per annum for their profit. He trusted, that in looking at the utility of such a work, the House would not consider it unreasonable to allow these gentlemen the means of reimbursing themselves for the capital which they had sunk.

Mr. *Peel* observed that the objection of the hon. gentleman who spoke first had not been satisfactorily answered. There certainly was no parliamentary ground laid in the preamble of the bill. The public would derive no advantage from an increase of the tonnage duty. If the precedent were once established, every canal company in Ireland would have a right to come to parliament for compensation, for he would venture to say there was not a canal in that country which paid one shilling profit on the concern.

Mr. *Neville* supported the amendment.

Mr. *Protheroe* was also against the bill, and accused the company of a breach of faith towards the Bristol dock company.

Mr. *Gordon* opposed the bill. Its principal object, he said, was, to acquire a coal monopoly.

Mr. *Preston* spoke in favour of the bill, and submitted, that unless the House encouraged such speculations as these, there would be an end of all public improvements.

Mr. *Shaw Le Fevre* was hostile to the bill.

The House then divided. For the postponement, 81; Noes, 19. The bill was consequently lost.

MOTIONS FOR PAPERS RELATING TO INCREASE OF SALARIES, &c.] Mr. *Bennet* moved, "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions that there be laid before this House, the substance of every patent, commission, sign manual, or other instrument, under which any place in the West Indian or other colonies is held by persons not resident therein, with the names of the holder and his deputy, the salary and average profits of the place and the date of the appointment."—Ordered.

Lord *John Russell* wished to inquire of the chancellor of the exchequer, whether any augmentation had been made to the salaries of the commissioners of excise and customs in London, since the 1st of January, 1815?

The *Chancellor of the Exchequer* replied, that he must pursue the same course as on a former evening. If the noble lord wished for the information he could move for it.

Lord *John Russell* then moved, "That there be laid before this House, an account of all augmentations which have been made in the salaries of the boards of customs and excise since the 1st day of January 1815, with the dates of such augmentations."

Mr. *Brougham* said, before the question was put, he wished to make some inquiry respecting the patronage exercised by those boards in appointing to certain offices connected with them.

The *Chancellor of the Exchequer* replied, that the hon. and learned gentleman could move for the information he required [a laugh].

Mr. *Brougham*. Then it is to be understood by the House, that the chancellor of the exchequer will answer no questions upon financial subjects which relate to the taking of money out of the pockets of the people.

The motion of the noble lord was agreed to.

Mr. *Brougham* then moved, "That there be laid before this House, an account of the number of officers belonging to the revenue cutters and of the authorities under which they are appointed: also, a copy of any treasury minutes or correspondence between the treasury and the revenue boards relating to the said cutters since the 1st of January, 1815."—Ordered.

Sir *C. Monck* said, he had a question to ask, and he should like to try whether the right hon. gentleman would be more indulgent to him than he had been towards others. He wished to know, whether it was in the contemplation of government to grant any augmentation of salaries to the officers of the navy board?

The *Chancellor of the Exchequer* replied, that there would be no difficulty in giving the information required by the hon. baronet: but he could not take upon himself to do so, without giving offence to those gentlemen to whom he had refused similar information.

Sir *C. Monck* then moved, "That there be laid before this House, an account of all the augmentations which have been made in the salaries of officers in the navy board department since the 1st of January 1815, with the dates of the same."

Mr. *Brougham* would fain suggest to his majesty's government, whether, although they might refuse to answer all questions of a difficult or an intricate nature, there was not some information which they might give, without infringing any of those maxims of state prudence by which they were guided. Was it necessary, he would ask, that gentlemen, when they came down to require explanation on particular subjects, should be driven to the necessity of discussing the propriety of asking information, before they could expect to receive it—and that too upon topics intimately connected with the expenses of the country? Could not his majesty's ministers, in order to prevent all this inconvenience, come down prepared with an account of all the retrenchments and reductions which they were making in the expenses of the public from day to day? Could they not furnish to the House a statement of the offices which they were, no doubt, actively reducing on the one hand, and of the salaries they were reducing on the other? And if they were augmenting the salaries of the public officers, instead of diminishing them, which now seemed to be their only real pursuit, could they not at once boldly declare the extent to which they were violating that pledge of economy, which they had put into the mouth of the Prince Regent, on the first day of the session?

Lord *Castlereagh* said, if the hon. and learned gentleman would be so good as to wait, the information which he required would be laid before parliament in a very short time, under the provisions of an act expressly provided for that purpose, and which imposed a duty upon his majesty's government to inform parliament, annually, of all augmentations and diminutions which had taken place in the public departments. He could not himself see under what view of expediency those questions were so frequently put. It was a very novel mode of procedure, and one which he was of opinion could be productive of no public utility whatever. The information, too, which the hon. and learned gentleman had requested, was not a little singular; for not content with confining his question to the augmentations which had taken place, he had gone still further, and required to know what were the augmentations contemplated by his majesty's government. In his motion, however, he had acted with more caution, and had restricted himself to the augmentations alone, without requiring a detail of the contemplative views of ministers. It was satisfactory to find that what was done, was done in a business-like manner, and that gentlemen came down with all their questions reduced into writing. The subjects would thus come forward in a regular way, and the information required would be given in an official shape, which would prevent all those mistakes that might be expected from answers given without due consideration. Upon the whole, however, he thought the system of putting those species of questions was incompatible with the ancient usages of parliament, and to those practices which had been so long and so properly observed. He was satisfied they only tended to embarrass, and not to facilitate public business.

Mr. *Brougham* said, that the very objection which the noble lord had made to the terms of his hon. friend's question, was the foundation upon which that question was to be justified. The noble lord had deprecated his asking what was in the contemplation of his majesty's government? Why, this was the very point at issue; it was upon the answer to this question every thing turned; for if the House was to wait until the return alluded to by the noble lord was made, the augmentations meant to be condemned would have taken place, the new officers would be appointed, and when called on to resign their situations, they would instantly exclaim with lord Arden, "It is my vested interest, my freehold estate!" To prevent this, and for that purpose alone, the question of his hon. friend was framed.

Lord *Castlereagh* observed, that the hon. and learned gentleman must know, that a mere increase of salary to a public officer, was not a vested interest, notwithstanding the affectation of activity on the part of the hon. and learned gentleman, no possible benefit could arise from the course he was pursuing.

Mr. *Horner* reprobated the very unusual tone which the noble lord had assumed—a tone which the House were unaccustomed to hear from any hon. member, let his situation be what it might. He was convinced, that there was no gentleman in that House, let him be an opposer or a supporter of administration, but must feel that on such an occasion, when the public were ground down by distress, and when the necessity and the determination to economise had been proclaimed from the throne, the noble lord had assumed a tone which that House ought not to tolerate, and which was quite inconsistent with the character of a minister. On a recent night, when the wretched state to which the grievous imposition of taxes had reduced the country, was represented to the House, the noble lord insulted—not the House, but the people. It was impossible for him to forget the expression used by the noble lord on that occasion. In speaking of the popular conduct, he termed it "an ignorant impatience for the relaxation of taxation." On another grave occasion, when the noble lord opening the debate, had his choice of topics, one of the subjects which he chose was the sensibility of the people to questions in which their pecuniary interests were concerned, and he talked of them as apprehensive of being "touched on the score of money." This night, when an hon. gentleman was performing one of the most important duties of a member of parliament—a duty which he trusted would never be abandoned—and was urging the noble lord to state what evidence, at the expiration of three weeks from the period at which the Crown pledged itself to economy, appeared to show that that pledge had been redeemed, he received the question with the tone which must have been condemned by all who heard it. And then the noble lord made an observation, which he presumed was considered satisfactory—namely, that if a question were not answered by his majesty's ministers, it might be reduced to writing in the shape of a motion. Now, it was manifest, that all questions could not be with effect reduced to writing in the shape of a motion. When a return could be made of something actually done, a motion would go to the office to which it was directed with effect; but where no such return could be made, where the question related as to that which it was intended to do, and not to that which was actually done, to ministers alone could it be put with the expectation of a satisfactory reply. As to the usage of inquiring into what it was in the contemplation of his majesty's government to do, the noble lord must surely have supposed that the House had forgotten all the instances of such questions which had occurred. For his own part, as long as he retained his seat in that House, whenever he suspected that it was intended to increase the burthens of the people, he would inquire into the reality of such intention. It was the privilege of a member of parliament to do so;—"and in exercising that privilege," added Mr. Horner, "I am sure, Sir, I shall not be stopped by you." The House and the country must perfectly understand the reason which induced the noble lord to refuse to answer to the questions which had been put to him. He would have answered them, had he felt that his replies would have been satisfactory to parliament and to the nation. Nothing could be more insufficient than the statement of the noble lord, that it was provided by act of parliament, that at a late period of the session—the middle of the session at least—the 25th of March, a return should be made to the House of any diminution or augmentation of official salaries which had taken place in the preceding year. Was this to satisfy the House on the present pressing occasion, during a session in which money affairs must become one of the most important duties of parliament—a duty paramount indeed to every other? The House had been told from the throne, that it was the intention of his majesty's government to use every means of diminishing the public expenditure. From day to day, however, parliament witnessed the increase of the salaries of public officers, during a period of peace, and when the low prices of every article of necessary consumption rendered such augmentation less than ever necessary. He would distinctly state the course which he should feel it his duty to pursue on this subject; and he would do so by an instance. If he were to hear that the treasury had already increased the salaries of the officers of the tax board, he would make a motion for a return stating the fact. But if, on the other hand, he were to hear that the salaries of the officers of the tax-board having already been increased, the commissioners of stamps were applying for a similar augmentation, and that it was in contemplation to give it them, he would not hesitate to take the liberty of asking the right hon. gentleman opposite what were the intentions of his majesty's government on the subject.

Lord *Castlereagh* again rose; but in consequence of a loud cry of "Spoke! spoke!" his lordship sat down.

Mr. *Vesey Fitzgerald* said, that he had hoped the hon. gentlemen opposite would have endeavoured to redeem their character, by allowing his noble friend, who had shown his readiness on the occasion, to reply to the hon. and learned gentleman. After the language which had been used by that hon. and learned gentleman, he was persuaded he would be the last man to prevent his noble friend from being heard. If ever there had been an occasion on which the strict usage of the House might with propriety be departed from, it was surely the present, in which his noble friend had been accused of using language taunting and disrespectful towards hon. members. In making this charge, the hon. and learned gentleman, contrary to all the orders and precedents of the House, had alluded, not alone to an argument used in a former debate, but to the express terms in which that argument had been couched. In the course of his speech the hon. and learned gentleman, notwithstanding the accuracy of his mind, had drawn an inference unauthorized by the circumstances of the case, when he insinuated, that because the questions which had been put to his majesty's government were unanswered, that therefore his majesty's government were employed, not merely in augmenting the salaries of public officers, but in contemplating the further augmentation of others. It was curious enough, however, to observe, that the hon. gentlemen opposite were not disappointed at receiving no replies to their questions. On the contrary, they seemed to expect this; for they were all prepared with written motions as substitutes.

Mr. *Tierney* observed, that the inconvenience of the course which had been adopted by ministers was now apparent. His hon. and learned friend's experience of parliament had been comparatively short. He (Mr. Tierney) had had the misfortune of having sat in that House since the year 1789—he called it a misfortune, because it proved that he was so many years older than his hon. and learned friend [A laugh!]. During the whole of that period, he had never heard any minister, from Mr. Pitt in the plenitude of his power, downwards, hesitate to state whether government had taken such steps as those respecting which his majesty's present ministers had been so properly questioned. The House would see the consequence of a strict adherence to parliamentary usage. Both parties got heated. The right hon. gentleman who spoke last talked of his hon. and learned friend, and those who acted with him, redeeming their character. They had lost no character. His hon. and learned friend was perfectly right in calling the noble lord to order, when he attempted to speak twice. He had a right to say to the noble lord, "If you will not answer our questions, then you shall not speak twice on the same motion. If you enforce the strict usage of parliament, we will enforce the strict usage of parliament too." His hon. and learned friend had said, that the noble lord's refusal to proceed must arise from some motives which he did not choose to communicate. He (Mr. Tierney) believed so too; and he believed them to be very wrong motives. With respect to the chancellor of the exchequer, he was afraid that that right hon. gentleman had been in bad company lately; or, he was persuaded that he would not have conducted himself as he had done on this occasion. He was anxious to impress on the House the inconvenience attendant on the refusal to answer questions, by making a motion. This would occupy some of the time of the House, for as he was not bound to write the motion himself, he would desire the clerk to take it down.—Mr. Tierney proceeded slowly to dictate to the clerk at the table, pausing every three or four words, in a way which excited the general risibility of the House:—"That there be laid before the House —— an account —— showing —— how much sooner —— than the 25th of March —— it is practicable —— to make the returns ——."

Here the Speaker interposing, observed, that there was already a motion before the House.

Mr. *Tierney.* "Oh! then, Sir, the clerk can scratch out what he has written, and begin afresh as soon as the motion before the House shall be disposed of." [A laugh!].

Lord *Milton* contended, that it was fair to conclude, from the conduct of his majesty's ministers, that it was in their contemplation to make the augmentation of salaries which had been alluded to.

Sir *John Newport*, to prove that a motion would not always produce the information required, stated the circumstances of a motion for an address to the Prince Regent, made on the 20th of April last, and renewed in May, which had not been complied with, although the information it required might have been produced in a single day.

The motion was acceded to.

Mr. *Tierney* then proceeded to make his motion, the object of which was to ascertain whether or not it was practicable to lay before the House, at an earlier period than the 25th of March, the account of the increase or diminution that had taken place in the salaries of public officers. He would have put this plain question to the right hon. gentleman, had it been practicable to obtain an answer from him; and if that were practicable, he had no doubt that the answer would have been in the usual terms, namely, that such a return could be made in part, but not altogether. As it was, however, he had no resource but to apply to the clerk. Mr. Tierney then dictated to the clerk the following motion:—"That there be laid before the House an account, showing, according to the best judgment of the officers in the different public departments, how much sooner than the 25th of March a return stating, according to the directions of an act of parliament, what increase or diminution of salaries has taken place, can be returned to this House, distinguishing each of the offices."—The motion was agreed to.

Mr. *Tierney.* I have another motion to make; and as it would be irregular for me to write it myself, I must again apply to the clerk [A laugh].

The *Speaker* observed, that for the sake of the convenience of the House, it was usual for hon. members to write down their own motions, unless they laboured under some infirmity which prevented them from doing so; in which case they received the assistance of the clerk.

Mr. *Tierney.* The infirmity of the hon. gentlemen on the other side of the House is, that they are dumb [A laugh]. Sir, I move, "That there be laid before this House, a return showing the number of men borne and mustered in the different garrisons abroad, from the year 1786 to the year 1791 inclusive, made up to the 25th of December, distinguishing each year and the different garrisons."—Agreed to.

Sir *Robert Heron* said, that notwithstanding what had occurred that evening, he would take the liberty of asking the noble lord a question, the circumstances attendant on which were so different from those belonging to any other which had been proposed, that he was not without hope that the noble lord would favour him with a reply. He could assure the right hon. gentleman, the late chancellor of the exchequer for Ireland, that he so little anticipated a refusal from the noble lord, that he was not one of those who were prepared for the alternative by having a motion ready written. The affair was simply this: it had been strongly rumoured that the British ambassador—he could not say at the court of Lisbon, for court there was none—but the British ambassador at Lisbon had been recalled, and that a successor had been appointed. What he wished to ask the noble lord was, whether, if such a recall had taken place, the individual appointed was to enjoy the same emoluments as the late ambassador?

Lord *Castlereagh* replied, that the mission of the late ambassador to Portugal had terminated a considerable time ago; as soon, indeed, as it was ascertained that the prince regent of that country did not mean to return to his European dominions. With respect to the latter part of the hon.

baronet's inquiry, all he had to say was, that no appointment of an individual had taken place, either as ambassador or as minister of legation.

CARDINAL YORK.] Mr. *Ponsonby*, adverting to a statement made in the House at a late hour last night, relative to a monument erected at Rome to the late cardinal York, wished to know whether or not such a monument had been erected; and, if it had, by whom it had been ordered, and who was to defray the expense of it?

Lord *Castlereagh* replied, that he had no difficulty in answering the questions of the right hon. gentleman. The fact was as the right hon. gentleman supposed. The individual alluded to, the last branch of the unfortunate family from which he descended, had long been an object of his majesty's bounty. Stripped and plundered by the French, cardinal York had not been considered as forfeiting his claim to his Majesty's generosity by his belonging to a family which the ancestors of his majesty had so justly and properly succeeded on the throne of these realms. This generosity on the part of the king created an indelible gratitude on the mind of the unfortunate cardinal; and by his will he directed some interesting family documents, together with the collar of the garter which he possessed, should be sent to the Prince Regent as a memorial of his respect. This had accordingly been done, the executor of the cardinal, accompanied these bequests with a request that his royal highness would assist him in the erection of a monument to the deceased cardinal. Under all the circumstances of the case his royal highness, in that spirit of liberality which did honour to him, acquiesced in that request, and in consequence paid to the cardinal's executor the sum required to assist him in the erection of the monument.

Mr. *Ponsonby* said, that every man must entertain a high sense of the gracious bounty which had been shown by his Majesty towards the late cardinal. The way in which the subsequent transaction had been described by the noble lord, evinced it to be a transaction very different from what the distinct erection of a monument by his royal highness the Prince Regent to a branch of the House of Stuart would have been. If it had not been so he should have felt it his duty to institute a parliamentary inquiry into the subject.

Mr. *Tierney* wished to know whether the expense of the monument, like that of the allowance, had proceeded from the royal privy purse?

Lord *Castlereagh* replied, that the expense had been paid out of the surplus of the contribution by the French government, for the removal from Paris to Rome of the statues which belonged to that city.

ADDRESS UPON THE TREATIES WITH FOREIGN POWERS—ADJOURNED DEBATE.] On the order of the day for resuming the adjourned debate upon the amendment which was yesterday proposed by lord Milton to be made to the Address upon the Treaties, &c. with Foreign Powers,

Mr. *Law* rose and observed, that he had always considered it to be a fundamental principle of the policy of this country, to view France in the light of a great maritime and commercial nation. Such was the principle adopted by the greatest English statesmen—a principle which, it appeared to him, had been lost sight of, in concluding the treaties which were now the subject of discussion. In examining the treaties which had been laid on their table, however great their lustre might appear, however high our military reputation might seem to stand, he hoped, if the House, on the perusal of them, saw that any of their stipulations affected the constitutional liberties of the country, or her maritime interests, that they would not be prevented, by the dangerous illusion of military glory, from marking their sense of such stipulations. That France was formerly viewed in the light he had mentioned, would be clearly perceived by a recurrence to our history. So strongly was that feeling impressed on the minds of ministers at other periods, that, on every maritime war with France, this country had always raised against her a continental enemy, in order to distract her attention—to compel her to keep up a great army, and thus neglect her commercial interests; by which means a better opportunity was given to us to effect the ruin of her maritime affairs. The Netherlands were always considered necessary to the success of such projects; and he regretted, that, in the present instance, the interests of the Netherlands had been neglected, and, with them, our commercial interests. They had been called on to admire the annexation of Belgium to Holland, as a master-piece of policy.

But, so far from being pleased with that annexation, it appeared to him to be pregnant with danger—since, by that means, the Netherlands were deprived of their great barrier against the power of France. If the military establishment of the Netherlands amounted, in time of war, to 100,000 men, in time of peace it would not exceed 50,000; and, if eighteen fortresses were to be garrisoned by that state, it was clear that they would require the whole of these troops, not leaving a single regiment to take the field, if necessity required it. The consequence must be, that, should the Netherlands be invaded, Great Britain must defend them. Austria would not lend her forces for that purpose; neither was it to be supposed that Prussia would grant her assistance. Under ordinary circumstances, the Prussian cabinet would be disposed to adopt a very different line of policy. At the present moment, when a sense of danger had united the various potentates of the continent, Prussia might interpose to prevent the subjugation of the Netherlands by France. But, when that sense of danger ceased to exist, she would probably pursue a contrary course. When the House recollected the transactions between Prussia and France, with respect to Hanover—when they recollected that Hanover had been given up to Prussia—he thought they must perceive, that they might look in vain for the assistance of Prussia, should such a state of things arise as he had alluded to. The House were called upon to believe, that, by the occupation of certain fortresses, all danger was removed from the Netherlands. Now, in considering the usefulness of fortresses, three points were to be examined. First, the distance of those fortresses from the line of an enemy's operation. Second, the extent of their garrisons. And, third, what proportion they bore to the force which the enemy had in the field. When the army of an enemy amounted to 25,000 men, and the force of a garrison was 4 or 5,000, a fortress thus guarded might produce some effect on the general success of the war. But when armies were swelled to 150,000 men, then such fortresses lost their importance. The frontiers of the Netherlands were provided with 18 fortresses, but they could not stand against so immense a force. When armies were so prodigiously increased, only great fortresses, containing armies rather than garrisons, could successfully oppose their career. It was evident that our connection with the kingdom of the Netherlands was necessary to our commercial relations with the continent. Now, the kingdom of the Netherlands could not defend itself. That, therefore, must be done, which was done—we must have two peace establishments, one for the Netherlands, and one for this country. Taking this view of the ill effects which the junction of Belgium with Holland must inevitably produce, he regretted that the allies had not imposed, as they could have imposed on France, certain territorial cessions which would have effectually secured the peace and tranquillity of Europe. Many errors were observable in the proceedings of Congress; but the battle of Waterloo made us arbiters in our own cause, and we should, by the treaty of Paris, have rectified the faults which had preceded it. A general league had been made amongst the great powers of Europe to prevent France from indulging in ambitious views, and that intention should have been carried into complete effect. They were told, that the dismemberment of France would have been impossible—that the allies were all opposed to it. He believed, that no such idea was ever entertained. The cession of the Netherlands, it was said, would have been useless. So it undoubtedly would, if it were not coupled with other cessions. It was asked, "If you proceeded on this principle of cession where would you stop? You would find it difficult to point out the particular cession at which it would be proper to pause." The hon. gentleman could not see this difficulty. He, for one, would be perfectly content, if Alsace had been given to Austria—to the south of Germany, the line of the river Rhine—to Prussia, the territory immediately in front of that which she at present possessed—and to the Netherlands, the department du Nord. Such a disposition of territory would have secured the permanent tranquillity of Europe. It was asserted, that, by the treaty of Paris, this country procured full indemnity for the past, and perfect security for the future. Now, what indemnity had they received for twenty years of war—for burthensome and oppressive taxation—for an impaired constitution? they were to get a paltry pecuniary recompense—not so much as the income tax, at five per cent. would produce. This was the indemnity they received. But other states received indemnities of a different description. With respect to the security for the future, there was no part of the treaty which appeared to him more objectionable. A foreign force of 150,000 men was to be kept up in France. This measure must necessarily lacerate the feelings of the French, and fill their minds with hatred against those powers who inflicted so great a disgrace on them. When Austria, Russia, and Prussia were obliged to withdraw their forces, either to guard the new dominions which had been ceded to them, or to embark in any project of ambition, then would the French nation rise in arms, terrible to the rest of Europe. Irritated by the injuries and insults they had received, they would rise and demand satisfaction from those who had pressed them down. Who, then, would lie most open to their attacks? this country—which would be called on to defend the Netherlands—a state that might almost be considered its own property. Louis 14th, when convinced that his designs upon Spain would succeed, had emphatically said, "the Pyrenees are removed;" and the ministers of this country, speaking of our connexion with the Netherlands, might now observe—"the sea which once divided us from that state has ceased to exist." He recollected a military officer, when speaking on this subject, denominated the kingdom of the Netherlands and Hanover the great military depôt of this country. Holland, he observed, was the citadel, and the Netherlands and Hanover the out-works. With respect to the constitution which had been given to France, he was unwilling to make many remarks on it. The House was told, that, if the cessions he had spoken of were demanded, they would not have been granted—it would have been an insult to Louis 18th which he would not have borne. Now, he could not believe that Louis 18th would have refused what Louis 14th had offered to concede. Was it to be supposed that Louis 18th, placed on the throne by the allies—supported by them—reigning by their sufferance—would refuse to give up (all Europe, as it was called, being at the gates of Paris) the provinces which had been spoken of? he believed the fact was, that the allies were afraid to push their demands, lest there should be a re-action amongst the French people, which might overturn the government that had been imposed on them. But, in his opinion, the insults which had been heaped on them, had driven them to a state of despair and madness, which no cession that might have been demanded could have rendered worse. There was a mental alienation amongst the people of that country, which could not have been made greater by any measure which the allied powers might have conceived it necessary to enforce. Was it to be imagined, after France had been stripped of all the territories which a long course of successful warfare had possessed her of, that the feelings and sympathies of her population would have been suddenly aroused, if the cession of a small portion of her territory were demanded? especially, when a hostile force of 1,500,000 men was arrayed upon her soil. He firmly believed, that a feeling of delicacy towards the reigning family was the reason which induced the allies not to make the demand. The ascendancy which a great northern potentate (the emperor of Russia) had gained over the mind of a neighbouring sovereign (the emperor of Austria), threw still farther light on this circumstance. One of the most important difficulties to be surmounted at the congress of Vienna was the effect of the influence to which he had alluded. And it was not a little extraordinary, if some influence had not been exerted, that those cessions, on which the whole public mind of Prussia and of Austria were fixed, had not been demanded. Had they been made, Austria and Prussia would have been the efficient guardians of the greatness of Germany, by their imposing situation on the eastern frontier of France. With respect to the doctrine of legitimacy he would say little. The legitimacy of a sovereign, resting on the laws and constitution of a country, he did not conceive objectionable; but there was a great difference between that, and the legitimacy of a prince who was forced on a people. He hailed the first as knitting the people together in a bond of union—as tending to expand the best feelings of the human heart; but the second he looked upon with abhorrence, as the greatest misfortune that could be visited on the human race—as tending to excite, in the breasts of princes, more bad passions than those to the influence of which their situation exposed them—as giving impunity to ambition—as favouring designs against their country—as leading to immoral excesses—as encouraging every thing which a good government would control, and which a bad government was never without. [Hear, hear!]

Believing that it was intended to support this species of legitimacy in its fullest extent—believing that to this object the interests of Europe had been sacrificed—and totally disapproving of the policy which prevented the allies from demanding those cessions that would have formed a great barrier power between the Netherlands and France, in consequence of which our maritime and commercial interests were exposed to danger—he could not give his assent to the proposed address.

Mr. *Douglas* adverted to the inconsistency in the arguments of those who, while they recommended that the Netherlands should have been raised into a great military power, reprobated the expense of the proposed peace establishment. Those who recommended that Alsace and Lorraine should have been wrung from the vitals of France, seemed to forget how long she had struggled for those provinces, what importance in her system of policy she attached to them, and how dearly she clung to them as the native soil of most of her great men. Dismemberment would have united Frenchmen of all ranks against us, while, between the provinces severed and the states to which they would be united, there would be neither resemblance of language, sympathy of feeling, nor community of interest. He rejoiced that while crimes had not been left unpunished, the moderation of the allies would afford a more useful lesson to the French than the degradation of conquest; we had fought, not against a man, but against a system; we had overthrown that system, and to prevent its revival, we had erected another in its place. Had we not so proceeded, we might have defeated one Buonaparté, but others would immediately have risen to have renewed the contest. He entertained no apprehensions that our troops in France would adopt the manners and habits of the French; because it was not usual for the victors to imitate the vanquished, and they would, besides, be taught, by the experience of those over whom they triumphed, that it was no less the business of a soldier to keep within the limit of his province, than to act up to the full extent of his duty. Upon the whole, he with confidence looked forward to the re-establishment of social order in France, and consequently to the permanency of the peace we had obtained.

Sir *Samuel Romilly*, not concurring in the address, nor in the unqualified praise lavished upon ministers, could not consent to give a silent vote, more especially after the personal allusion made by the noble lord last night to what had fallen from him on the first night of the session. The subject of discussion was one of greater importance than had perhaps occurred within living memory, more particularly that part of it which regarded the interposition of Great Britain in the settlement of a government for France. The noble lord had put this interference upon two grounds: first he had argued the abstract point, whether, under any circumstances, it was competent for one nation to intermeddle in the internal government of another; and, secondly, whether, under the peculiar circumstances, Great Britain had a right to interfere to impose a government upon the French nation? Sir Samuel said, it did not appear to him that it was at all necessary to meet the first question, though the noble lord had widely enlarged upon it, and upon other topics connected with it—whether one government was called upon at any time to assist another against revolted subjects — and whether it would be justifiable for us to interpose for the protection of a class of individuals persecuted for religious tenets? Such matters were wholly beside the real subject of dispute, included in the second branch of the division of the noble lord, which he had supported by reference to the triple alliance in 1717, and to the quadruple alliance in the year following. The House, however, would not fail to recollect, that all the interference we had required from foreign states was the obtaining of a guarantee for the succession at that time established. The noble lord did not fail to remind the House, that this interposition of foreign powers was obtained by the whigs of that day, and, imagining most mistakingly that it was a case in point, had taunted the whigs of the present day with a total dereliction, of the principles they had formerly supported. The noble lord, however, for the sake, perhaps, of the strain of irony in which he had indulged, had forgotten the principal facts of the case he had referred to. Certainly if it were true that modern whigs had degenerated from their tenets, the same charge could not be brought against the noble lord and the modern tories, who now revived with ancient pertinacity the long exploded doctrines of passive obedience and indefeasible right. This was one of those short lived triumphs with the love of which the noble lord had last night charged his opponents. Looking back to the repeated declarations of the allies, but more especially of the British government, the question was, whether, after those declarations in the face of Europe, this country, with any regard to consistency, could put in her claim to restore the dynasty of Bourbon, in opposition to the known and expressed wishes of nearly the whole French nation? To those who had not witnessed the acts of the British cabinet, and had only referred to its professions, it would seem strange that at this day such a discussion should be necessary. During the whole course of the war, ministers had asserted (with what sincerity was now obvious), that they did not fight to replace a particular family on a throne from whence it had been driven. When the contrary was charged in parliament, the noble lord had frequently declared in his place that it was a libel and a calumny. No longer since than the beginning of the last year, after the return of Buonaparté from Elba, and the issue of a proclamation by the duke of Wellington, in which he professed that the object of renewed hostilities was, to restore the house of Bourbon, the lamented member for Bedford (never more to be lamented than at the present moment) in his place had demanded of the noble lord if that proclamation had the sanction of ministers? The usual reply was given—that to state that the object of this country was to restore the Bourbons was a calumny upon this government, which adhered with fidelity to the professions they had all along given, that their design only was to remove the individual who had placed himself at the head of the French nation, and whose authority was inconsistent with the safety of the rest of Europe. The declaration of the Prince Regent, on ratifying the treaty of the 25th of March, was exactly to the same effect; in which his Royal Highness stated, that that "treaty was not to be considered as binding his Britannic majesty to prosecute the war with a view of imposing upon France any particular government." [Lord Castlereagh, across the table, requested that sir Samuel would read the passage immediately succeeding.] Sir Samuel said, he apprehended that one part of the declaration could not contradict the other. It went on to state, "that however solicitous the Prince Regent must be to see his most christian majesty restored, and however anxious he is to contribute, in conjunction with his allies, to so auspicious an event, he nevertheless deems himself called upon to make this declaration, on the exchange of the ratifications, as well in consideration of what is due to his most christian majesty's interests in France, as in conformity to the principles upon which the British government has invariably regulated its conduct." Did the noble lord mean to assert, that the latter part of the declaration was designedly framed to render nugatory what had preceded? For, even supposing the noble lord were correct, that the passage just read bore his construction, he must contend, that the British government had been guilty of a species of duplicity in asserting that their only purpose was to remove Buonaparté, when, in truth, their secret and resolved design was, to compel the French nation to submit to the family of Bourbon. This was followed by the letter of lord Clancarty of the 6th of May, to which he had referred on the first day of the session. Buonaparté, on his arrival in Paris, had written a letter to the Prince Regent, offering to observe the stipulations of the treaty of Paris, which letter was transmitted to lord Clancarty at Vienna, to be by him laid before the sovereigns. The result of the deliberation was communicated by his lordship, and the objects there disclosed were consonant with the declarations that had been previously made. "After reading this paper" said lord Clancarty, "the general opinion appeared to be, that no answer should be returned, and no notice whatever taken of the proposal: but one opinion has appeared to direct the councils of the several sovereigns: they adhere and from the commencement, have never ceased to adhere, to their declaration of the 13th of March, with respect to the actual ruler of France. They are in a state of hostility with him and his adherents, not from choice, but from necessity, because past experience has shown, that no faith has been kept by him, and that no reliance can be placed on the professions of one who has hitherto no longer regarded the most solemn compacts, than as it may have suited his own convenience to observe them." His lordship afterwards went on to state—"They are at war, then, for the purpose of obtaining some security for their own independence, and for the reconquest of that peace and permanent tranquillity for which the world has so long panted. They are not even at war for the greater or less proportion of security which France can afford them of future tranquillity; but because France, under its present chief, is unable to afford them any security whatever. In this war, they do not desire to interfere with any legitimate right of the French people; they have no design to oppose the claim of that nation to choose their own form of government, or intention to trench, in any respect, upon their independence as a great and free people." Then followed the passage which the noble lord had charged him with omitting: " They no otherwise seek to influence the proceedings of the French, in the choice of this or any other dynasty or form of government, than may be essential to the safety and permanent tranquillity of the rest of Europe; such reasonable security being afforded by France in this respect, as other states have a legitimate right to claim in their own defence." Sir Samuel said, he was not so well acquainted as the noble lord (whose abilities in that way were acknowledged) with the mysteries of diplomatic language; but it seemed to him, that in ordinary acceptation the words would not bear any double sense, in order to favour the argument of the noble lord: the whole letter was a disclaimer of war for the restoration of the Bourbons, while it was professed to be undertaken against Buonaparté, on the ground that his character was such as to prevent all reliance upon his good faith. The right of the French people to choose their own governor and government was admitted. How the noble lord would reconcile these contradictions between profession and practice, was as mysterious as the language of lord Clancarty, if it could be made to bear the double construction. It was not to be denied, that the effect of these declarations in France had been to lull the people into a supposed security, and to prevent that resistance which might have been made even after the battle of Waterloo. The assemblies in Paris had deemed it useless to make any exertions for their independence, which they believed was not intended to be invaded, and many were as anxious as the allies to remove Buonaparté from the throne. The noble lord was, doubtless, aware of the effect these soothing professions would have in putting an end to hostilities that otherwise would have been carried on, though with what success it was not necessary to determine. The forcible restoration of Louis 18th, soon succeeded; for the king followed in the rear of the allied armies, which possessed themselves of Paris, and prevented all possibility of a free choice on the part of the nation. It was a mockery to talk of a voluntary election under such circumstances of compulsion; and those who had fondly relied on the promises of the allies, not yet victorious, were disappointed in their expectations after the capital had submitted. Those who had voted in the parliament of Great Britain for the renewal of hostilities, had no less reason to complain of the insincerity of the declarations of government, who talked of free choice while they enforced an unwilling people, by a gross breach of faith, to receive a king, whom, if permitted, they would have refused to accept. He begged the House to reflect, before it concurred in the address, that the time might come when Russia, Prussia, and France, would be confederated against England; when an English king was to be forced upon the people who had expelled him. The example that we had set might then be followed by our enemies; and as we now maintained, that French revolutionary politics were inconsistent with the safety of Europe, it might then be asserted, that the principles of English constitutional liberty were inconsistent with the security of other states; that the liberty of the press, which in England alone, of all the nations in the world, was enjoyed, threatened danger to the thrones of neighbouring princes. Even at this day, the freedom with which the press of this country arraigned sovereigns for their follies or their crimes, pointing at them the finger of public contempt and scorn, had excited much dislike upon the Continent, and had made our newspapers the objects of jealousy and prohibition; they were accused of breaking in upon the sanctity of sovereigns, and of making no distinction between the peasant and the prince in their daring accusations. Who was able to determine how long the other sovereigns might permit this system to exist, or how long a period would elapse before they combined against England to crush this fearless independence? Surely there was nothing absurd in this prospect, when even the noble lord had spoken of the dangers resulting from the promulgation of the principles of modern Whiggism; and having taken a lesson in the well-disciplined school of the continent, reprobated even the freedom with which debates were conducted in the British parliament. If the noble lord could be induced so severely to reprobate this liberty of speech and of the press, who could say how soon his efforts might not be aided from quarters with which he had been recently so much connected? Our army too, it would be recollected, on its return from France, would be well prepared to second his efforts, and to extinguish our liberties, under pretence that they were deviating into licence.—With regard to the securities obtained for a lasting peace, he could not avoid saying that they were such as were rather calculated to defeat than to ensure the object, since the consequence would be to ensure the resentment of a whole nation. When the noble lord spoke of the popularity of England in France, and of the general approbation of the measures of our cabinet, it would have been well if he had adduced some evidence of his assertions. What the noble lord had said upon the subject of contributions was equally unsupported; and it would be difficult to prove that the English was the only nation that felt taxation, and that the French would disregard it even when enforced by a military power, more especially when it was recollected, that a question on the taxes of the country had been one principal cause of the expulsion of Louis on the return of Buonaparté. The people in France must necessarily feel, when they were called upon to pay taxes for the support of foreign soldiers, that they owed those taxes to the restoration of the king, and that this restoration was effected by the English nation. With regard also to the stripping the Louvre, independent of the injustice of that transaction, to him it appeared, that no difference of opinion could exist as to its impolicy. It was impossible that such an act should not inflict a sense of disgrace upon the people of that country, and excite in their minds a spirit of resentment against those who despoiled them of a collection that was so much an object of their national pride. As some surprise seemed to be testified, on the other side, at the mention of the word injustice, he was desirous of explaining himself, by stating, that he was at least far from satisfied with the justice of that proceeding. It was said that these monuments of art were the fruits of unjust war; but were they not also the subject of various treaties, by which they were formally conceded to France? When he heard so much said of the fine moral lesson which we had by this means taught to that country, he could not avoid recollecting some circumstances with regard to one of the principal actors in this spoliation. He alluded to Austria, and to her seizure of the Corinthian horses. Austria gave back to Venice her horses, but did not give back to her her republic and her independence. It was remarkable, too, that these horses were conceded by the same treaty (that of Campo Formio) by which Venice was transferred to the dominion of the House of Austria. Without going, however, any further into the merits of this question, he should give his vote for the amendment, upon a firm belief, that the peace was utterly insecure, and that it would last only till France should have acquired strength for resistance, when her hostility would burst out more rancorous and fatal than ever. He was aware that his opinions did not concur with those of a large majority of the House; but they were his honest persuasion, and he deemed it his duty to express it.

Mr. *Robert Ward* said, it was not from any ambition he had to measure himself with the hon. and learned gentleman, that he persevered in presenting himself, against the wish of another hon. member, but because, throughout a speech whose topics he considered of the greatest moment, he could find nothing with which he did not disagree, and which he thought the mere common sense of the most ordinary person could confute. The hon. and learned member had accused ministers of duplicity, in acting contrary to their professions to France; he proved it solely by referring to lord Clancarty's dispatch, which itself contained its own answer on the point, by actually making a reserve for the very situation that had occurred, namely, the compatibility of the restoration of Louis 18th with the interests of France. The hon. and learned gentleman had said, that ministers had not followed the steps of their predecessors. That was a great mistake—they had trod precisely in the path of Mr. Pitt, and in a manner gloriously to themselves, to the country, and particularly to his noble friend. In proof of this he referred to the communication to the Russian ambassador, in 1805, * which displayed the master hand of Mr. Pitt, and in which all that was or could be done for Europe against France, was clearly traced. Ministers had founded themselves upon this, in the declaration from Frankfort, afterwards at Chaumont; then at Paris, in 1814 at Vienna, on Buonaparté's usurpation; and finally, in these transactions which the hon. and learned member so much blamed. The hon. and learned member seemed to him to argue fallaciously, from one end of his speech to the other. It was a fallacy to say, that because it was not the professed object to reinstate Louis 18th, it was therefore binding upon us not to reinstate him. He returned to his own, and his own received him, but, according to the hon. and learned gentleman, we were almost bound to prevent his being received. According to him the duke of Wellington having conquered Paris, the king having entered his capital, the duke was bound to expel him again, and say to the people, "I have beaten the tyrant, here is your king, but you must not have him—no, you must proceed to elect him again." Would any man alive believe this, or receive the hon. and learned gentleman's proposition? He was glad to find the first general position of his noble friend had not been resisted; namely, the right of nations to interfere with the internal government of other countries, if dangerous to their own. The silence of the hon. and learned member showed that he could not upset this position, for with his principles he would if he could. But lest there should be any mistake, he now challenged the hon. and learned gentleman to deny it. By his continued silence he yielded. Well then, said Mr. Ward, he has at least abandoned one of the favourite maxims of his great master, Mr. Fox, who, in 1793, moved a broad resolution to the contrary, in respect to this very France. Mr. Burke, however, (quite as great a name) completely refuted him, and proved, that if a great nuisance prevailed in any country, the vicinage had a right to abate it. Gentlemen talked of Poland, to shew, from the acquiescence of ministers, that they were not sincere as to the right. The truth was, they on that side of the House detested the atrocities in Poland as much as any self-constituted Whig; but they did not interfere, because they were too far off to have any power. Poland was, in their respect, as a country in the moon. Another great fallacy of the hon. and learned gentleman was, that he called the precautionary army an ally of Louis against his people. We say it is an ally of Louis against Jacobinism, but for his people, he believed a very great majority panted for the restoration, to put down the military tyranny. The hon. and learned member, however, feared the example. May not, says he, other powers combine against our freedom if they choose? Yes! and I trust freemen can resist all their combinations; but are we to refuse putting down Jacobinism when we can, from the fear, that at some other time an attempt may be made to put down freedom? He had questioned the justice of restoring the pictures, many of them having been yielded by treaty. But by what treaty? Such a one as the armistice of Tolentino, where the Pope, with 500 men, was hunted down, for no cause at all, by the plunderers of France. Did a treaty make it less a robbery? If with a pistol at his breast, a man his forced to sign a bond, is it the more binding because it his signed? The conduct of his noble friend, in this part of his mission was, perhaps, he should say, what did most honour to his principles, his talents and his great knowledge of the true interests of states. The French soldiery did, indeed, want a great moral lesson, and they had got it more by this than by any victory that had been obtained over them. He (Mr. W.) had met with people in France, who denied that we had ever beaten them by sea, or that De Grasse had been taken by Rodney. Much had been said as to the little to be drawn from the character of a king. Did that appear in Buonaparté, with whose character alone we had waged a twelve years' war? Why, then, should not a peaceful character operate? Did it not operate for twenty years upon Walpole and Fleury? A young member (Mr. Law,) had hazarded definitions which Mr. Ward owned he did not understand: in particular his notion of a legitimate sovereign, whom, he said, he would love when personally the choice of the people. Did he mean, that every sovereign must be elected? or that if he happened to be unpopular, although he obeyed the laws, he was therefore not legitimate? Mr. Ward said, he had a more enlarged notion of loyalty: he loved the present king for the virtues of his excellent life, but he was loyal to him also as king, and must be so whether virtuous or not, for the sake of keeping together the bonds of society. He had observed one fallacy to prevail through all the arguments and statements on the other side. It was, that a foreign army was supported in France by the king as against the people. That army was employed, not against the people, but against the spirit of military Jacobinism in that country; it was employed to guard the people against future usurpers, and a recurrence of those evils from which they had been delivered. A great deal had been said in the course of the debate, on the subject of our departure in this treaty from the ancient policy of Europe with regard to the Netherlands. He was disposed, however, to rejoice in the change, and to hail any new experiment, when he remembered, that the result of the former policy had uniformly been, both when that country belonged to Spain, and when it belonged to Austria, that in every war it fell a prey to the arms of France. It was easy to say that Belgium ought to be defended by some great military power, but it was not equally practicable. The difficulty was in the distance of the great protecting powers, and in their means of drawing on their resources. The protection of the Netherlands, by the existing system of alliances, was never brought to their own door. The hon. gentleman concluded by contrasting the confederation of Germany with the late confederation of the Rhine, and by expressing his opinion, that we had every reasonable ground for presuming a long continuance of general tranquillity. At all events he trusted we had a fair prospect for at least four or five years. He apprehended that the political sagacity of gentlemen opposite would hardly extend further.

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* See Vol. 31, p. 178.

Mr. *William Elliot* observed, that his indisposition would be a pledge to the house that it was not his intention to detain them long. He was, nevertheless, desirous to take an opportunity of stating his opinion on two or three points, to which he should strictly confine himself, and by which his vote on the present question would be governed. He must confess that he had never offered himself to the attention of the House on any occasion with feelings of more sorrow—sorrow, at finding himself obliged to differ with friends for whom he cherished the most sincere affection and respect. The two parts into which he wished to divide his observations were, first, the policy which, under the circumstances of the times, he conceived ought to have been observed; and, in the next place, how far the engagements entered into have been conformable to that policy. To advert, first, to the doctrine, that the war was personal against the late ruler of France, and that declarations to this effect had been made by the allied powers; he must remark, that these declarations were out of the question, that they had never been acted on, and that they were terminated by the issue of arms at Waterloo. He believed, likewise, that the representations of imposing a government on the French nation had been very much exaggerated. His own views, indeed, had always looked to some settled order of things founded on civil principles, and to a revival of some civil institutions in which they might appear embodied. He had considered likewise that the restoration of Louis 18, was the first step in this necessary process. In his person he saw the rightful successor to the throne of France, the legitimate heir of Louis 17th, who was the lineal and legitimate heir of Louis 16th, who, in his opinion, had been unjustly deposed. He held no such principle as that of indefeasible succession or divine right; he knew none who adhered to a doctrine at once so absurd and profane; or if there were a few insane enthusiasts who did so, their insanity ought not to prejudice opinions that were better founded. Amongst what he considered those well founded opinions was, that there were, amongst the institutions moulded by time upon the frame and genius of society, such things as hereditary, prescriptive monarchy, and hereditary prescriptive nobility, not of divine right, but of human institution. He believed that kings had duties to perform, and that subjects had duties also; that obedience was due in return for protection, and, if due, that it became a binding moral obligation. Cases of imperative necessity, such as would justify a resumption of power, might occur, as exceptions occurred in every other case of moral duty, but not on views of speculative or contingent advantage, or from a notion that the people, at their own will and pleasure, had a right to choose and change, without regard to the safety of themselves or their neighbours. Such a doctrine as this appeared to him to be upon a par, in point of absurdity, with that of a divine and indefeasible title. He had never seen any such case in the history of the French revolution. Our own, on the other hand, was a fair example of this imperative necessity. Our revolution was against a king who sought to destroy the liberties of his country;

their's was against a king who had voluntarily convoked the national assemblies, and who had consented to a system which might have mellowed and ripened into a regular plan of liberty. It was impossible for him to attempt any distribution of public opinion in France; but he was persuaded that all rational men, and the pacific classes of society, as was well known indeed in the north and in the west, were zealously attached to their ancient monarchy, and to the person of their present sovereign. He was disposed on this subject to hazard another opinion, that the character of the chamber of deputies, it mattered not to him however chosen, was a strong proof of the prevalence of a loyal spirit in France. The constituents of that assembly had, however, included a larger number of electors than had ever before voted; nor could he doubt that the disposition of such a body must be a fair representation of the disposition that animated a large proportion of the nation. He must add, that he, for one, had never expected that we should suddenly return to a state of perfect repose and safety after so long a struggle. The nobility and property of France, as well as its monarchy, had been destroyed, a revolted army had been just disbanded; and amidst these elements of danger, some apprehension must remain. After so long and furious a tempest, the swell must not be expected to subside in a moment. It was not in the nature of things that entire confidence and security should be created in an instant with regard to a nation for many years torn by faction, in which religion and virtue had been studiously eradicated, and in which an army existed, hot with the spoils of Europe, and inured to revolutionary movements. But he now came to the consideration of the two courses which presented themselves, and the first of which was the question of dismemberment. He regretted much to differ on this point from one whose general talents, long experience, and statesmanlike and enlarged views, had always commanded his respect. But with regard to a reduction of territory, his own feeling was, that it was extremely difficult how to decide upon its execution, and that if France should return to a state of moral order, it was unnecessary. If experience should prove that she was irreclaimable, then he should be prepared to go a great deal further. He did not however think her strength at present very formidable, and it was at all times desirable that France should not be too much reduced; she was a most essential member of the European system, and might one day prove one of its most powerful guardians. The ascendancy she had lately acquired, attributable in some degree to errors of conduct in the commencement of the war against her, was chiefly to be ascribed to that distempered energy, imparted by the revolutionary spirit, which bounded over the Alps and the Rhine, and gave a wonderful consistency and steadiness to her operations. But, previous to this period, the acquisitions of France had not been extensive. Under Louis 15th she obtained Lorraine, and under Louis 16th greatly improved her naval and commercial resources. It had been said, that she then made use of those means to aim a deadly blow at our existence; but we might more properly be said to have inflicted it on ourselves by the injustice and impolicy of the contest in which we had engaged. If Lorraine and Alsace were to be taken from France, it was clear that the French would be against such an arrangement. If those countries were to be added to Austria, what would Prussia, what would Bavaria say? We should only throw ourselves into all the intricacies of a question of adjustment of territory. Besides, France was a rich and fertile country, it was a tempting bait for the cupidity of sovereigns; if we once broke ground on such a field for avarice, where should we stop? Would Austria, would the other powers exercise any moderation? No! France would soon become what Poland is. It had been alleged, indeed, that these very countries were unjust acquisitions of France, and added to her territory by fraud or violence. But if we were to go into the origin of every acquisition, and ravel into the iniquities of preceding ages, there would be no end to our dissentions.—With respect to the arrangements that had been entered into, he felt the force of all the objections that had been urged; he was sure we ought to feel a wholesome jealousy of the proposed establishment; and he should regret if the nerves of the House of Commons were not exquisitely sensible on this point. But with all the disadvantages that attached to the arrangements proposed, he acquiesced in them, because they afforded the best chance of maintaining the alliance that had been entered into; they were the best protection against future dangers, and had given England a greater weight among the combined powers. He felt that the gentlemen who sat behind, and who differed from him in opinion, would here oppose a triumphant argument in arraigning him as the supporter of a standing army; but this argument, however specious, was not sound; it was not logical: the case was in effect the same as if a civil magistrate were to post infantry in defence of the peace. What! it would be said, a civil magistrate restore peace by the intervention of armed men? Yes! when necessity called for such an interference; and that was the whole case before us. The danger opposed to us was a combination of military force, and could only be met by a military force in return. Admitting the general danger of a large peace establishment, yet the army proposed for the defence of the frontier of France was a necessary evil, and, as against Buonaparté, we must have kept up a much larger military, with the addition of an enormous naval establishment. From the difference between the French and English currency, (a difference which we must make up to our soldiery) it would amount to the same thing as if the establishment were larger by 6,000 men than in reality it is; but even this must be cheerfully submitted to, if the measure of keeping the forces in France were, as he contended it was, a necessary measure. In 1802 he had gone further; but, whatever might be the case then, and however necessary an army might be in France, he could not see any ground for such an establishment as had been proposed in other quarters. In 1802 Buonaparté had Holland, Spain, and Italy, at his feet: but now France had no navy; Holland, Spain, Portugal, Russia, Turkey, no navy. What had we then to fear? He could not but think, that as to colonies and garrisons, our establishment ought to be low. We had been told much of the station we ought to occupy in Europe; but it was insanity, if we wished to become a continental power. Two propositions were entertained on this subject;—one, that because ours was an island, we should have no intercourse with other nations; so far from this, he hoped we should always consider ourselves indentified with the rest of the world; but he deprecated the idea of our becoming a continental power, and thought that, by husbanding our resources alone, we could ever shoot forth to vigour again. He thought that a great source of error in the present treaties was the indemnity to be contributed by France; he did not deny the practice, but the policy of the measure. Nothing was so difficult to France as the arrangement of her finances, and we might have saved all the money to be contributed, by one year's diminution of our peace establishment. On the part of France, the payment of this contribution would risk all the tranquillity for which we had contended. He could not therefore vote for the address proposed by the noble lord, and he did not think himself of sufficient importance to move an amendment; but he was anxious nevertheless to give his sentiments to the House, and had for that reason only taken up their attention so long.

Mr. *J. H. Smyth* said, that the great objects which had always been held forth as the grounds for the continuance of the war, had but been ill answered by the treaties which were on the table. Our security, which it now seemed was to consist in the maintenance of a large military force, was worse than no security at all. What, then, was our indemnity? The cession of four fortresses on the part of France, and the payment of a sum of money, large indeed, and the exaction of which must be oppressive to France. But the whole of this sum was but equal to one half of our yearly taxes; and the sum which England was to receive would be but one-twelfth of our charges in this halcyon year of returning peace; and in return for this indemnity, we had to keep up 30,000 men on the frontiers of France at our own expense, together with a peace establishment in all parts of the world, to an extent before unheard of. It had been the great object of British parliaments, on the return of peace, to reduce immediately our armies. After the peace of Ryswick, our peace establishment was reduced to 7,000 men; and in 1738, when Sir Robert Walpole, then minister, proposed an establishment of 18,000 men, on the ground of internal disaffection and danger of rebellion, Mr. Shippen successfully opposed the establishment of so large a force, and the army was reduced to 12,000 men. But now, besides 25,000 men in this country, with additional troops in Jersey, Guernsey, &c. and 25,000 in Ireland, in France there was an army of 30,000, not paid by the legislature of this country. It might be said, the sum received from France would be carried over to the exchequer, and then re-issued in consequence of a vote of the House; but they had heard no declaration of this kind, and in the long oration of the noble lord there had been nothing said of any attempt to reconcile this proceeding with our constitution. It had been said, that a new disorder required a new remedy, but when this remedy affected our constitution we should take care the remedy was not worse than the disease. The metaphor, too, was now out of date, for it might be said the patient had recovered. He deprecated the fashionable doctrine that this country was to take rank, as it was called, among the military powers of Europe. Commerce and our constitution had been the real sources of our prosperity, and had enabled us to make exertions beyond those of any military powers. The House therefore, should beware lest in grasping at a shadow of strength they lost the substance.

Mr. *Bankes* defended the treaties, wishing it to be understood that, though he approved of the principle of keeping up a force on the frontier of France, as to the other parts of our establishment he reserved the right of discussion at some future time. He should not argue that point at present. It had been said, that this treaty would not afford a permanent security to the country. But what treaty had afforded such security? There never was a more reasonable prospect of peace than at present. As to the idea of stripping France of provinces which she had held for many reigns, and which had been confirmed to her by repeated treaties, such a measure would have rendered a permanent force on the frontier of France necessary, and that threefold of the present establishment. France stripped of all that could be taken from her would remain a most powerful country, and would burn to revenge the insults thus offered to her. The present monarch of France, too, would not have deigned to accept a crown thus plundered of its jewels, and the people would not have endured a king so debased. This brought him to the question, whether it was desirable for us that the family of the Bourbons should be restored? Now, though France was torn asunder by many parties, there was none which united a greater proportion of the people than that in favour of the Bourbons. As that family had, therefore, a claim on the throne, could it be said, that it was not one with which a peace was likely to be most permanent? He thought it could not, and this we knew, that that family would not venture again to raise that army which had disturbed and endangered Europe. As to the arrangements respecting the Belgian frontier, the House had good authority, that they were sufficient for the end in view; and if, though not the best which might have been made, they were the best which could have been made with the general consent of the alliance; the parliament and the country should be satisfied with them. This country could not command the alliance, and it was better to have a strong alliance even with a weak frontier, than a strong frontier and no alliance. It was a misfortune that this country had been so much involved in continental politics; but this was rather to be lamented as a consequence of the late war, than objected to as a consequence of the treaty. There were various inconveniences and a thousand objections to every treaty, and this was perhaps not free from them. The great result could not have been accomplished without the alliance in which we were joined: and we should be content to pay some price for the attainment of that great object. He was particularly satisfied with what had been done as to the works of art. As to the pretence that they had been ceded to France by treaties, this plea might have some weight as towards Austria; but as to Florence and the weaker powers, it was a mockery.

Mr. *Horner*, after apologising for troubling the House at so late an hour, and entering on a discussion entirely above his powers, stated, that nothing would have induced him to do so but an anxiety to have his opinions on the subject of the treaties clearly understood; and though those opinions must, on many material points, differ from the opinions of some who had preceded him, yet there was one point on which, though it might seem already hackneyed, he wished a moment to touch: for, whatever his opinions might be as to the principle of the war, and the negociations by which it had been terminated, he was not slower than any other man to exult at the splendid success of our efforts in arms. Our gallant servants had performed their duty with an heroism unexampled; they had not only given us a leader of unrivalled eminence, but had placed the character of the British army above all comparison. It had, since the battle of Waterloo, been admitted even by the confession of an enemy, that the infantry of England had no equal. He did look on this as a great acquisition of glory, a great acquisition of strength; and his prayer was, that the military strength thus acquired might be properly made use of.

The proper use of that strength was, first, to reserve it for the defence of our country; and next, in foreign interposition, when that interposition should be clearly and absolutely necessary to our welfare: but we were to remember that it would be employed unnecessarily in continental quarrels, or in projects of unjustifiable ambition. It was obvious, that they had mixed up the whole of their transactions with French politics; and though it was impossible for the House not to entertain some feelings on that subject, yet they ought to interfere with it as little as possible. By an unnecessary interposition, they would be unavoidably led to involve themselves in the factions and views of their neighbours, and be drawn out of the circle of their own affairs, which were quite enough for them, without considering whether this or that form of government was most beneficial to the people. His main objections, however, to the treaties were, that they did not provide that security which the country had a right to expect; and it demanded the most serious consideration, that in prosecuting the war to an end, his majesty's ministers had at last disclosed that important project which they had so anxiously disavowed at first; namely the determination of forcing the Bourbon family on the throne of France, contrary to the faith of the crown, contrary to the pledge which had been given to parliament, and in direct violation of the solemn engagement and promise to the nation of France at large. On former occasions the noble lord had expressly avowed, that the professed object of the war was of a very different nature. The idea of forcing any particular person on the French had been repeatedly disclaimed, on the principle that it was carrying their measures further than the justice of the case allowed: but now, forsooth, it was openly, and without a blush, acknowledged, that however the national honour had been violated, it had always been considered that such a result of the contest would be satisfactory. It was now too late, indeed, to say, that they had not resolved to interfere with the internal government of France: but they excused themselves by saying, that they might interpose on a necessary occasion.

It must, indeed, be within the recollection of the House, that when it was put to the noble lord, whether the restoration of the Bourbons was the object of the war, he distinctly and repeatedly disclaimed it. It was notorious that, upon this understanding, several gentlemen in that House voted for the war. Yet it was now evident, from the treaties upon the table, that the restoration of the Bourbons and their maintenance upon the throne of France, was really and truly the object of the war. Why, then, was not this object openly and manfully avowed at the outset? With what view was it disguised? Why, obviously for the purpose of obtaining votes in that House, and practising delusion upon England, upon France, and upon Europe. The effect of this delusion and duplicity upon France was, as he understood from the best authority, to dispose the well-informed and the reflecting part of France, who belonged to no faction — who were as hostile to Buonaparté as they were indifferent to the Bourbons—to look to the allied armies as deliverers, as about to afford the French nation an opportunity of choosing a government agreeable to its own wishes and interests. The effect was indeed such as to neutralize a great and respectable proportion of the French, who, instead of supporting Buonaparté, rather endeavoured to keep down the spirit of the people, and induce them to confide in the declarations of the allies. Many Frenchmen believed those declarations, confirmed as they so often were by the solemn pledges of the ministers of England. But the believers were dupes. For himself, as well as for several of his friends, he could state that he never was duped by these declarations, or by the pledges of the noble lord, because he always thought that to be the sole object of the war, which events had demonstrated. But he would ask some gentlemen in that House who thought differently, who grounded their votes upon an entire credit in the professions of the noble lord, how they now felt? He would appeal to the whole House, to parliament, and the country, what ought to be the feeling of a proud and honest nation tenacious of its character for good faith, upon comparing the pledges of its government at the commencement of the war with the conduct of that government at its conclusion. Was there to be no faith, then, in these solemn promises? Could it be a satisfactory feeling to any honest member, who possessed the generous spirit of an Englishman, to know that the engagements of ministers with the French nation had not been kept? His majesty's government had declared manfully, boldly, and plainly, what their purposes were; but it was one of the most melancholy features of the times, that the bonds of political faith were not so strong as they used to be. Whatever doubt might exist in some minds as to the import of the declaration on which the war was commenced, there could be no possible misunderstanding as to the object of the treaties. It was no longer to get rid of the dangerous ambition of Buonaparté; it was not to prevent the military power of France from encroaching on neighbouring states. No! it was to maintain the family of the Bourbons on the throne, whatever might be the feelings of the people towards them. —If it were pretended, as he understood had been somewhere said, that the conduct of the French army in invading the Netherlands released the allies from their pledges not to force a government upon France, he would ask the noble lord and his colleagues, whether they, who always alleged that the French people were hostile to Buonaparté, and that he was supported only by the army, could consistently maintain that the conduct of that army could release the allies from their solemn pledges to the people not to force any particular government upon them? But yet this government was imposed upon France, and it appeared that with a view to maintain it, certain precautionary measures, as the noble lord termed them, were adopted. Among those measures a large pecuniary contribution was levied, and this contribution the noble lord called, rather singularly, a main feature of the tranquillizing policy to be acted upon towards France. This was really a most extraordinary view perhaps peculiar to the mind of the noble lord. For it was the first time he had heard that to subject any people to a large pecuniary contribution was a good mode of producing their tranquillity. Certainly the noble lord could not have learned that doctrine in England, where a large pecuniary contribution was not very apt to produce popular tranquillity. Indeed, he rather apprehended that an opposite feeling would arise in this country, if that contribution were enforced by a foreign army. Why, then, should the noble lord calculate upon a different result in France? But upon this point it seemed that, according to the doctrine of some gentlemen, the contribution raised in France, instead of falling into the pockets of the people, and being placed under the control of parliament, was to become the property of the privy purse, to be applied, perhaps, to enable the pope to carry home some works of art from Paris, or to erect a statue to Henry 9 (cardinal York). He wished, however, that this novel doctrine might now be repelled, as inconsistent with the constitution and laws of this country. But as a further precautionary measure to keep the Bourbons upon the throne, it appeared, that 150,000 men, composed of different nations, were placed in France. So it was calculated, that the presence of this foreign force, under the command of a general who was the native of a country always the rival of France, was likely by degrees to reconcile the French people to the government which that force had imposed upon them. But what could be the character of the minds which entertained such a calculation? Would not every rational being rather conclude, that the presence of such a force must serve to form a perpetual fester in the breast of France, instead of contributing to the tranquillity and contentment of that country? But according to the express opinion of some gentlemen, that which was most galling and offensive to the French, formed an argument to justify the expectation of order and repose. Those only, however, who entertained such a singular notion could, he believed, concur in the views of the allies in placing an armed force in France? And what estimate must those gentlemen have formed of the character of the French people—distinguished as that people always were for national pride and military spirit? How, he would ask, was that proceeding likely to operate upon them, which was calculated to rouse the most sluggish nation upon earth? How were the French people to feel towards a sovereign twice forced upon them by an army of foreign bayonets? For when that army was on the first instance withdrawn, that sovereign was soon compelled to quit the country; and he would put it to the candour of any man, if the French people were friendly to that sovereign, why should it be necessary to maintain him on the throne by the assistance of a foreign army? The dilemma was obvious—either the French were friendly to the king, or they were not. If the former, the foreign army was unnecessary to the maintenance of the king; but if unfriendly, the presence of this army was calculated to augment their dislike. For what could be more galling to a Frenchman than to suppose his king guilty of that which was the greatest treason any sovereign could commit, namely, that of inviting the assistance of a foreign force? While the French were our active enemies in war, we must rejoice in their defeat; but now that they were completely fallen, must not every considerate man feel for a people so circumstanced? Was there, besides, no danger to be apprehended from the result of a national movement against the army by which the French were so grievously oppressed? The great power of the allies would no doubt defeat such a movement; and could any man doubt that the effect of such defeat would be the dismemberment and partition of France? What, then, would be the consequences? It would perhaps be said, that no danger whatever was to be apprehended from the ambition of any of the allies—that none of them were capable of meditating any wrong. But the noble lord had written much against the plans of aggrandizement entertained by Prussia. His letter to count Hardenberg, on this subject, was in the recollection of the House, as was the treaty which he concluded in January 1815, with France and Austria, to guard against the danger of these plans. And here he must observe in passing, that while the noble lord himself declaimed against the views of Prussia, he was quite in a rage, if any observation whatever against any of our foreign allies happened to proceed from the opposition side of the House.—But to return to France. If that country should be dismembered—if it should cease to be a substantial power in Europe, by the division of its territory among the despots of the North, what then would be the state of this country? In such an event what must be the amount of our establishments, both naval and military, in order to guard against the dangers naturally to be apprehended from the occupation of France, by those formidable powers? Now, as to another point. It was stated by the noble lord, that he was pressed by several reflecting persons in France to secure the guarantee of the allies to the maintenance of the constitutional charter. But to this the noble lord refused to accede, while an unreserved guarantee was granted to maintain the king upon the throne. No stipulation was made to support the constitution, which by-the-bye, had since been repeatedly violated. While every arrangement was made that appeared to the allies necessary to provide for the maintenance of the king, nothing was done to preserve the privileges of the people. The allies, in their eagerness to support the former, overlooked the conciliation of the latter; although that conciliation would have been the best policy. But such policy was not within the consideration of despots.—Here the hon. and learned gentleman said he felt it necessary to make a few remarks upon the assertion of the noble lord, that the whigs of the present day forgot or departed from the doctrines of those whom the noble lord called their progenitors. But this assertion was grossly erroneous, as would appear upon a review of the address moved by Mr. Fox in 1793. For in this address that great man did not propose to protest against our interference in the affairs of any foreign state as a general principle, but against such interference under existing circumstances. The effort, therefore, to fix any imputation upon those whom the noble lord denominated the modern Whigs, by contrasting their conduct with that of the old Whigs, was totally ineffectual. The noble lord's cry of victory was quite groundless—was indeed clumsy. But it was strange that the noble lord should quote precedents from those whom he never before affected to admire. It happened, however, that in all the noble lord's reference to the conduct of the Whigs, he betrayed a total want of historical accuracy. This want of accuracy was indeed particularly evident in the noble lord's reference to the quadruple and triple alliances, for neither furnished any precedent in favour of the noble lord's cause. On the contrary, it was notorious, that in the former the Whigs obtained a guarantee from the allies that they should not interfere with the right of this country to choose its own government, which choice was made decidedly against the doctrine of legitimacy and the divine right of kings. For this country on that occasion dismissed king James with his hereditary rights, and selected William, with a view to establish a government congenial to the constitution and assent of the people. Then, again, as to the triple alliance, the object of that confederacy formed by the Whigs, was to withstand the principle of legitimacy, by preventing the house of Bourbon from becoming possessed of the throne of Spain. How, then, could either of those alliances be said to furnish any precedent in favour of the conduct of the noble lord and the allies, in forcing a government upon France according to the doctrine of legitimacy? But there was a precedent on the occasion of the triple alliance, which the noble lord might have quoted in support of his views. For Louis 14th, at that time sought to force a government upon Spain, according to the principle of legitimacy; and the noble lord, in overlooking this circumstance, showed that he was quite as ill versed in Tory as he was in Whig precedents. The noble lord should, therefore, before he ventured to quote again, study history with more attention.—But with respect to the principle of legitimacy, the hon. and learned gentleman said, he fully concurred in what the House had heard so eloquently urged in an early stage of the debate by an hon. member (Mr. Law) upon that subject, namely, that hereditary right was not essential to the maintenance of monarchy.—It was, in fact, but subsidiary to that object, as our own history demonstrated. For the maintenance of this principle was subordinate to the preservation of the constitution and laws of any country, and meant not that the direct lineal descendant should be preferred, but that some such member of the family of the monarch should be selected as might be best disposed and best calculated to maintain the laws and liberties of the country. This was the true, sound doctrine sanctioned by the wise example of England. But the sole object of the late war and of the treaties which followed it manifestly was, to place a monarch upon the throne of France, without any regard to the laws, the liberties, or the wishes of the people. The restoration of that monarch was, no doubt, thought a most desirable object, with a view to re-establish the peace of Europe, by some great statesmen, both in that and the other House of Parliament, who maintained that this object ought to have been avowed at the outset as the great end of the war. But this object was disguised by the noble lord from the consideration of the House, although it was now evident that it was really the chief end of the war. The noble lord no doubt also wished to put down all the principles of the revolution, which he might conceive a very desirable end, and it was consistent with his views, that every thing that could be accomplished, should be done for sovereigns, and nothing for the people. That such was the intention was pretty evident from what had taken place within the last two years. A great statesman had often observed, that of all revolutions a restoration was the greatest, and that of all innovators an arbitrary monarch was the most dangerous. This, indeed, was fully evinced in what had taken place in Wurtemberg, in Prussia, and in certain states upon the Rhine, where nothing whatever of right was restored to the people, while the authority of sovereigns, whether crowned since or before the revolution, was established and confirmed. The total disregard, indeed, of popular rights was manifested in various parts of the recent arrangements, but it was sufficient to refer to the instances of Venice and Genoa. But the most odious part of the late arrangements, which appeared from a treaty on the table was, the league of arbitrary sovereigns to meet annually for the purpose of considering their interests; for what rational man could doubt what such sovereigns would, in the long run, consider their interests, how they would decide upon every indication of popular feeling, or upon any movement in favour of popular principles? The noble lord even, who was the advocate of every act of those sovereigns—who was ready to take up the gauntlet in that House for every one of them, could not be much at a loss to decide upon their probable views, if he would only take the trouble of looking with but common attention to history. Let him look, for instance, to the conduct of Austria towards Hungary and the Low Countries; let him look at the conduct of three of those sovereigns with respect to Poland. Hence it might be concluded how these sovereigns were likely to decide for their own interests, and against the privileges of the people. But it appeared from the noble lord's own statement how those sovereigns felt with regard to popular privileges, from the jealousy which they expressed respecting the freedom of debate in that House. He should like to know whether these sovereigns expressed that jealousy in the noble lord's presence, and whether they obtained his acquiescence [a laugh, and hear, hear!]. It would, indeed, be surprising if the noble lord, who had himself acquired so much distinction as a parliamentary orator, especially in favour of popular privileges, and who was said to have made such long speeches to these sovereigns themselves, no doubt in the same strain, could silently listen to such an expression of jealousy with regard to the freedom of the British parliament. Yet the noble lord had observed, that these arbitrary monarchs were, truly, indisposed to follow up some arrangements which they had in contemplation for the establishment of popular privileges, in consequence of some speeches in that House. What a compliment did the noble lord thus record in favour of the virtue and firmness of these sovereigns. So, they were dissuaded from doing that which they themselves thought proper, in consequence of parliamentary speeches in England! They declined to do right, because some of them might have been censured for doing wrong—because, for instance, such an able senator as the late Mr. Whitbread—because that great man, who had perhaps, more of the good man in his composition, than any great man that ever existed, felt it his duty to expose and reprobate some act of oppression, or injustice. He trusted, however, that such a feeling of duty would ever be found to prevail in that House. But, seriously, could it believed, that the sovereigns alluded to, could have been prevented from making arrangements in favour of popular liberty, by any thing that happened to fall from an obscure minority in that House seconded as their disposition must have been by the noble lord himself, at the head of his immense majorities. The opinions of these military despots, on this as well as upon other subjects, he entirely disregarded. No prospect could be entertained that any thing would be done by them for the rights of mankind. His hopes of improvement were derived from a different quarter. They were not directed to innovation, but to a beneficial change effected through the medium of constitutional organs, and the wholesome operation of public opinion. Even though there was reason to believe that the sovereigns appointed their meetings with no preconcerted designs against the liberties of the world; even although they formed no deliberate conspiracy against the rights of their subjects; still he could not but view the close association that would appear to be established between such great military powers, without great jealousy. The great object of our late struggle was avowed to be the destruction of the military principle in Europe, which was incompatible with the liberties, the happiness, and the social tranquillity of mankind. By unparalleled efforts, by persevering and heroic sacrifices, we had extinguished the great military despotism which agitated and conquered and oppressed the nations of the continent; but was the situation of Europe much improved, if the present system was to be carried into complete effect, and the late arrangements were henceforward to be universally adhered to? We had, indeed, annihilated the most extensive, the universally felt military despotism; but there were now three or four to spring up and to occupy its place. Their union, for purposes connected with their own support and extension, might be nearly as dangerous as the one from which we congratulated ourselves on being delivered. These military sovereigns were to meet and consult for their common security or mutual interests, and nothing could be done, or permitted to exist in Europe, without their consent. The hon. and learned gentleman then went into an examination of the securities established in the treaties. He wished to meet the question of security fairly and impartially; but he could not help inquiring at first, what were the evils against which security and guarantee were required? What were we to guard against? We were at the end of five and twenty years of convulsion, revolution, and war. In that period the institutions of society, the political arrangements, and the relative condition of the different orders in the civil state, had undergone great changes. A new spirit was created, and had operated powerfully in bringing about the present circumstances. There might be different views entertained, and there were certainly very different opinions delivered on our present situation. Some thought that the revolutionary spirit, which produced such atrocities in its first display and subsequent operations, still existed in France in all its malignity, and that its existence in any degree was inconsistent with national tranquillity or civil order. This opinion had been declared by many members in the House, and was entertained by a great party out of it; but he thought that it was entertained upon false and narrow views. There were other persons who took views entirely opposite, but equally distant from reason and sound policy. They would not be satisfied, if France did not at once carry into practice all those ideas of political freedom that they entertained: they would not be contented with less than seeing France in possession of all those institutions, and that free constitution that this country enjoyed, without taking into consideration the difference that existed between the state and the ideas of the two nations. It was needless to say, that he disapproved of both these extremes. Whether the revolution in France was good or bad, whether it had contributed to promote the liberties and rights of the nation or not, it could not be denied, that there had arisen out of it a state of things which could not be altered, a spirit which could not be entirely extinguished. If the restoration of the Bourbons proceeded upon the supposition that every thing was to be restored to its former condition, and that every new interest was to be destroyed, the project could not be realized; and those who entertained it were not aware of the obstacles they would have to encounter in attempting its execution. Every thing was changed in the revolution—property had been transferred to new hands—the people had acquired new ideas—the privileged orders had been abolished, or their claims reduced—political institutions were altered, and a new distribution of political power had established a spirit of inquiry, and a disposition to discuss the conduct of rulers was every where diffused. It was difficult to calculate the power of these changes. We might guard against the effects of them, but we could not bring things back to their former situation. Happily this was not necessary for our security, as it certainly was not practicable in its execution. The real security which was required from France, after the destruction of that military monarchy which oppressed the greatest part of the Continent of Europe, combined the integrity of that kingdom with the establishment of a government agreeably to the wishes, and deserving of the confidence of the people. The hon. and learned gentleman said, he would decline entering upon a discussion of the other kinds of security required against France. The question of territorial cession had been discussed at great length, and he would merely state, that in his opinion any attempt to dismember France, instead of being likely to afford any security for the continuance of peace, would be the certain source of inquietude and danger. He would not enter upon the propriety of demanding a barrier on the side of the Netherlands, as that seemed to be of the same nature with territorial cessions; but he would say that he would place no reliance on any guarantee founded on the basis of reduction or dismemberment. There was no chance of the stability of peace, if guarantees were sought for in measures that must be galling and irritating to the French people; there was no chance of continued tranquillity but in conciliatory arrangements; there was no chance of reconciling them to Europe, but by allowing them to establish the government they liked. We could never rationally entertain confidence in the pacific dispositions of people, on whom we forced a government by conquest, which we maintained by arms. The sentiments of the people could not manifest themselves while a powerful army occupied a part of their territory, and might be called in to repress them. There had been a good deal said by a right hon. friend of his (Mr. Elliot) concerning the chamber of deputies; but he could not agree with him in supposing that that body could be considered as an organ for the expression of popular feeling and opinion. How was the chamber elected? It was elected by the influence of the royal power—it was filled by that execrable person Fouché; a name connected with the greatest atrocities of his country. That immaculate statesman, during the short period that he served his sovereign, had performed for him the office of selecting the deputies.—The hon. and learned gentleman, adverting to the French revolution, contended, that though it exhibited many scenes of cruelty, atrocity, and horror, and though its principles had been often dishonoured by the profligacy of those who held them, or professed to carry them into execution, yet it arose at first from a love of liberty, and had been attended by consequences of the most important kind. Any man who had examined the state of France before the revolution and after it would perceive the good effects that it had produced. The great body of the people, whose interests were the most important, were raised by it in education, in character, in property, and in independence. No revolution since the Protestant reformation appeared so important as that of France. The people of France might, therefore, expect, that some attention would be paid to their wishes, and that all the advantages for which they had suffered would not be extorted from them. They might expect that they should be allowed a free constitution; and would it be honourable for us to obstruct them in that object? The first men in this country had anticipated great good from the revolution. The hon. and learned gentleman, after having delivered his opinion on our foreign policy, said he would refrain at that late hour from any discussion on our military establishments to support it.

Mr. *Charles Grant* junr. said, he should not feel it necessary to trespass long upon the indulgence of the House at that late hour, in what he had to offer; but at the same time he was anxious to submit a few observations in reply to what had fallen from his hon. and learned friend. He perfectly agreed with his hon. and learned friend in the eulogy which he had pronounced upon the conduct of our heroes at Waterloo; and he was glad to find that he was not understood, as some other gentlemen had been, to draw a conclusion from such victories, that we ought to have adopted measures of greater severity against France. His hon. and learned friend at least, had not made it a charge against the government that we had not pushed our rights of conquest far enough, or that we had turned a war of just and necessary defence into a war of revenge. On the contrary, we had crowned the greatest and most unparalleled military exertions by a signal display of moderation and magnanimity. If it were not so late he should be induced to call the attention of the House to the general situation in which this country now stood with respect to her commercial and maritime interests. In his opinion, there never was a treaty which did more honour to this country, or which had more consolidated the British power in every part of the world, than the treaty which was now submitted to parliament for its sanction and approbation. It was but fair, however, that he should not omit to advert to the actual position in which that treaty had left us. Whatever was wanting in other treaties concluded at former periods, was consummated in this. Besides securing to us all our possessions in the West Indies, the importance of which, no one, he apprehended, would be disposed to undervalue, it also secured that impregnable barrier in the East Indies, which was so necessary for the safety and prosperity of our empire there. Nor should it be forgotten, that by the conditions of that treaty we were confirmed in our possessions in the Mediterranean, all of which were peculiarly valuable to a great commercial country like this. He wondered, indeed, that in the great variety of arguments which had been employed in discussing the different provisions of the treaty, none of them had had any reference to those important features of it.

It would not be necessary to recall to the recollection of the House the very different sort of treaties to which, on former occasions, the sanction of parliament had been required, or how narrowly we escaped, at a later period, from concluding a peace which would have left all Europe at the mercy of France. It was strange, indeed, that those gentlemen, who then saw nothing to alarm them as to the security of Europe, should now make the discovery, that this treaty contained no stipulations, no arrangements, at all calculated to guarantee that security. Surely, at the time to which he alluded, France was more dangerous than she was now, not only from her military system, but from possessing a larger territorial extent. Why, then, was the alarm now sounded for the first time, as if the dangers which threatened the repose and liberties of Europe, were only to be most apprehended when they were in reality least in existence? Many imputations had been cast upon the good faith of this country, and upon that point, he could not, perhaps, do better than leave it in the hands of those who had already defended it. He should only beg leave to say, that he entirely differed in opinion from his hon. and learned friend, who thought that the restoration of the Bourbons was forced upon an unwilling people. For his own part, he required no stronger proof of the contrary, than that, when Buonaparté had all the resources of France at his disposal, and was at the head of a numerous and effective army, he lost his empire by the events of a single day. That single fact spoke volumes to his mind, as it incontestibly proved, that the great mass of the population of France was not cordially disposed to co-operate in promoting his views of usurpation and ambition. In fact, the discovery that the good faith of England had suffered, came somewhat too late to obtain much credence. In the course of the last year it had been equally insisted upon, but the grounds upon which the assertion rested, did not bear out the accusation. It was then said that the violation of good faith on the part of England, united with the conduct of the congress of Vienna, were such, that if any occasion should arise to call for the general confederacy of Europe in support of her liberties and independence, it would be found impossible again to rally them for one common object. Now, the fallacy of that prediction had been abundantly proved. The experiment had been made a second time; the call had been repeated; it was answered with the same enthusiasm, and it had led to the same glorious successes.

His hon. and learned friend had asked, towards the conclusion of his speech, what was the nature of the dangers against which it had been thought necessary to demand and obtain securities. It seemed to him a great fallacy on the part of his hon. and learned friend and other honourable gentlemen, to take a special part of the treaty, and without any allusion to the circumstances of the case, without at all referring to the great and momentous exigencies of the crisis, to argue only upon the general scope and nature of the stipulations. In every treaty of peace they were bound to consider, not only the terms upon which it was negociated but the nature of the circumstances under which it was concluded, and the character of the existing dangers which were to be guarded against. More particularly was it necessary to pursue that course with respect to the treaty then under discussion; for without so doing, it would be impossible to form a just and enlarged view of the question; or to come to a satisfactory conclusion upon it. That fallacy pervaded many of the remarks which had been made upon the conditions of the securities required, and he thought it necessary to advert to it. His hon. and learned friend, however, having asked what the dangers were, and not having gone on to investigate those dangers, he would tell him what he conceived to be their character and tendency. In his opinion (and that opinion was not lightly formed), there still existed in France an anti-social spirit, originating in the revolution, which was incompatible with the existence of well regulated society in Europe. His hon. and learned friend had coolly told them, that the spirit of the revolution was extinct, and the spirit of Jacobinism was gone. He differed from that opinion, and every man who looked at the present condition of France with unprejudiced eyes must differ from it. He was as ready to admit as his hon. and learned friend could be, that they must not judge France according to the various factions that had at different times prevailed; but those dangerous spirits which still survived, combined with that military feeling which, though curbed by reverses, no one could suppose to be obliterated, rendered it an imperative duty upon the allies to provide adequate securities for the future repose of Europe. It had been justly observed, that every revolution left the seeds of another revolution, in those habits of misrule and disorder which it generated. If that maxim was true of a single revolution, what must it be when applied to such a series of revolutions as France had undergone; a series which though they passed rapidly over the stage, had left deep and lasting traces of their progress? In that, then, consisted the danger which was to be guarded against by the precautionary measures of the allies: and no one he apprehended, would deny that the danger was either real or imminent.

He should now proceed to offer a few considerations upon the case of interference. As to the general principle of interference he believed there was but little difference of opinion entertained on either side of the House; but his hon. and learned friend had descended into particulars, and amused himself and the House with what he considered to be the misconceptions of his noble friend (Lord Castlereagh) upon the subject of the quadruple and triple alliance. He need not remind his hon. and learned friend of the partition treaty. That treaty was founded upon the direct recognition of the right to interfere when the security of Europe required it. And who were the parties that acceded to that treaty? The states of Holland were one, a power at that time not indisposed to advocate the cause of liberty, or incapable of comprehending its character and claims. Above all, our own great and glorious deliverer, William the 3rd, was a party to the measure. But his hon. and learned friend maintained, that the object of the present treaty was merely and exclusively to support the Bourbon family on the throne. Assuredly, a great object with the allies being to obtain security for Europe, by an arrangement, which might at the same time accomplish the welfare of France it could not be doubted that the maintenance of the Bourbons on the throne, was one of the most obvious means of producing those results. With respect to the benefits which France had derived from the revolution, he was as willing as any one could be to admit the existence of those benefits to a certain degree; but while he did so admit them, he must also add, that the surest way of giving full operation to them, consistent with the security of Europe, would be to make their collateral consequences as beneficial as their direct ones had been fatal and disastrous. That, however, could be done only by repressing whatever of anarchial, anti-social, and revolutionary principles yet remained; and until that was effectually done, he could not venture to say that the spirit of Jacobinism was extinct. What had been the effect of the revolution, not only upon Europe, but upon a great proportion of France itself? A general love of order, and a general feeling of abhorrence at opposing upon slight and speculative grounds, any existing constitutional government; and he could not applaud the wisdom of allowing those feelings and propensities to be overlaid and smothered by the mass of revolutionary spirit which still existed in France. The danger of such a catastrophe was immediate and formidable; and how was the danger to be obviated? He had heard in that House, and knew that similar arguments prevailed elsewhere, that we had exasperated France, that we had poured insults upon her, and plunged her into a state of deep humiliation. It was, indeed partly true that such was the fact. From the circumstances of the case, it was impossible that Europe could interfere so as to overawe the dangerous and alarming dispositions of the French people, without offending them, without inflicting some mortifications, or without wounding their national feelings. For that inevitable evil the allies ought to have been prepared. The great object with them was, not to avoid giving offence, for that was utterly impossible; but to mitigate, as far as they could, the exasperation of France. Did it follow, however, that because the allies must necessarily wound the feelings of the French people, that therefore they were to give up all idea of obtaining the requisite securities? He contended that the allies having that particular object in view, it was most desirable to obtain, for its accomplishment, that lapse of time which would soften down the feelings of the nation, and contribute to remove those sentiments of irritation which might otherwise impose its operation, and prevent the nation from rallying round the throne of the restored monarch. The rule which the allies had to prescribe to themselves was not to avoid giving mortifications (for how could they be prevented?), but to abstain from all wanton or gratuitous insults, and that course they rigidly pursued. Some insults, indeed, it was not easy to escape from inflicting, and among these, in the estimation of the French, the battle of Waterloo itself would no doubt be included. Let it not however be supposed that any wanton or unnecessary exercise of the power which victory had conferred, was indulged in. If they saw it necessary to exact certain sacrifices from France, they limited those sacrifices to the necessity of them; if they felt themselves compelled to demand certain limitations, they did not push their demands beyond the strict line of what their safety required. That was their policy, and so long as they acted upon that plain and direct line, though they might exasperate France, they were sure to have the approbation of all wise and honest men out of France, and even in France itself when the effervescence of momentary irritation had subsided, because there was something in honest principles which was always certain to extort the ultimate approbation of all men.

With respect to the securities which were demanded, it was not his intention to enter into any minute examination of the character of those which came under a pecuniary compensation. But he had heard it stated that the pecuniary indemnities were those which, of all others were most calculated to afflict her, and that even territorial cessions would have been less galling. They had been told, in a tone of much exaggeration, that every time the meanest peasant paid his taxes, he would be reminded of the degradation into which his country had fallen, leaving it altogether out of the question, that their tributes would be blended in the general taxation of the state, and would not bear the distinct and specific form of a contribution towards their victors. But surely there was no comparison between territorial cession and pecuniary indemnification, with respect to the influence which either might be supposed to have upon the feelings of the nation. At the expiration of five years, the pecuniary indemnification would be paid off, and leave no trace behind, but territorial cessions would be permanent; they would leave a memory behind them of the subjugation of France, which would never be effaced. He was surprised also to hear it argued that the army of occupation would be more galling to the feelings of the French people than territorial cessions. If, indeed it was so terrible to France to have her frontier fortresses occupied by foreign troops, for a short and limited space of time, how much more terrible must it be to see those fortresses permanently surrendered. But it was added, if territorial cessions have been made, then the armies of the allies might have been withdrawn from France. He would, however, ask the House whether, in the case of those fortresses being surrendered to Holland, the allies would have been justified in disbanding their armies; whether it would have been safe to leave the Netherlands a prey to the overwhelming superiority, and to the ambition of France? That, certainly would not have been the way to reduce our standing armies, or to reduce the military spirit upon the continent. The hon. gentleman in his zeal to prove that the Bourbons must have been forced upon a reluctant people, said that it was impossible for France to reflect upon their restoration without connecting it with invasion and the presence of foreign armies. He apprehended, however, that the return and second downfall of Buonaparté had materially altered the case; and that the meanest peasant in France was now able to draw a just inference upon the subject. In the peace which was signed in 1814 no harsh stipulations, no exactions were made, and they must therefore feel that whatever of moderation, magnanimity, and forbearance they experienced from the allies in that year, they owed to the virtues and to the presence of Louis 18th; while whatever of misfortune and degradation awaited them in the following year they owed to Buonaparté. Buonaparté, the man who had raised the military glory of France to an unexampled height, entered the lists against us with every possible advantage, at the head of one of the finest armies, in point of number, bravery, discipline, and appointment, that had ever been assembled in that country. That army, however, suffered the consummation of military disaster. It sustained a defeat the most memorable in the annals of European warfare. The hon. and learned gentleman asked who was the author of their disgrace. Who was the author of it? Did not all France know that so far from the Bourbons having been the cause of it, had they never existed Buonaparté would not have been able to save Paris from the presence of the allied armies, determined as all Europe was, with an intensity of feeling never before experienced, never to allow military despotism again to tyrannize over it. He differed therefore most materially from the hon. and learned gentleman on this point; being fully persuaded that whatever might have been the former opinions of the people of France, they had been taught by circumstances, accurately to distinguish between the real and the alleged author of the calamities which they suffered. In the prosecution of his argument the hon. and learned gentleman had alluded to that part of the treaty by which the allied powers pledged themselves to maintain the constitution of France, and Louis 18th on the throne of that kingdom. However the passage might be expressed, the meaning unequivocally was, that the allied powers were resolved to maintain an orderly government in France. Not only was this passage perfectly consistent with the other parts of the arrangements which had been made, but it was essential to them. There were many parts of the hon. and learned gentleman's speech, to which at an earlier hour he would have trespassed on the House by an endeavour to reply.

There were some topics, however, on which he begged their indulgence while he said a few words. The hon. and learned gentleman had observed a great deal on the relation in which Holland and France had been left. The security of Holland was in her situation. The treaty had been severely censured by some, because it annexed the Austrian Netherlands to Holland; and the House had heard from the noble lord opposite, an appeal on the subject to the established principles of European policy. The House, however, was not to decide the present question by the principles on which the great statesmen of former times acted with respect to it. Those persons were not at liberty on the subject. They were bound by treaty to give the Netherlands to Austria. They gave it thus in order to indemnify the emperor of Germany for the surrender of his pretensions to the throne of Spain. The consequence had, in fact, been most injurious. Was it not true that the Austrian Netherlands had been the great cause of Holland and England having been drawn into every great continental quarrel which had occurred? When the Netherlands were called the Spanish barrier, Louis the 14th perpetually invaded Holland. In later times not a single war had occurred in which that barrier had not been found insufficient for the protection of Holland. In the war of 1733, the only continental war in which this country had not been engaged, we were prevented from engaging in it by having previously stipulated for the neutrality of the Austrian Netherlands. When the hon. gentlemen talked of no security being derived to Holland from bringing Prussia down to the left bank of the Rhine, they seemed not to have well considered the subject. It was of the utmost advantage to Holland that a great power like Prussia should be so placed in relation to her. It was essential that there should be a great power on the left bank of the Rhine, to protect Holland. In one of the wars of Louis 14th, that monarch, by negociation and interest, previous to an intended attack on Holland, gained over the principal little powers on the Rhine. The only one which refused to unite with him was the elector of Brandenburgh, who well knew, that the subjugation of Holland must necessarily lead to the destruction of Dutch Cleves, on the left bank of the Rhine.

With respect to the question of the balance of power, he owned that he had been a little surprised to hear—first, that France had been left in too powerful a state, and, at the same time, that it was the policy of Russia that France should be left in the state in which she was left. This was surely inconsistent with the opinion, that Russia was a just subject of the jealousy of Europe. The fact was, that the security of Europe was to be sought not in one power, but in the combination of powers—not in Holland alone, or Prussia alone, or Austria alone, or France alone; but in the combined force of all these states; in the enlightened feeling which impressed the necessity of maintaining it; and, above all, he was sure he might say in that House without fear of contradiction, in the influence and guardianship of this country. Our great object, as we were not obliged to engage in the minor disputes of the Continent, would be to preserve, by our occasional interposition, the general balance and independence. This was the policy which at various times we had pursued with success. There were three particular cases of British interference with the continental powers, to which he would recall the attention of the House. The first was, when we checked the domination of Spain on our own shores and seas. The second was, when we assisted to defeat the attempt of Louis the 14th, to subjugate Europe; the third, a hundred years afterwards, when we had again defeated the efforts of France to triumph over the Continent. The glorious war which we had thus waged, we followed up by a peace concluded, not on narrow and exclusive and local considerations, but with reference to the most extensive and common interests. He trusted that it would be maintained in the same spirit of moderation and magnanimity; and that we should continue to be actuated by the same cautious vigilance with respect to the general affairs of Europe. For to speak of relinquishing the influence we had obtained in Europe, and at the same time, of preserving our commercial pre-eminence, appeared to him to be one of the most extravagant of all possible propositions; firmly convinced as he was that we could never separate our prosperity from our political influence.

Mr. *Ponsonby* said, he had no objection to be designated one of the modern Whigs who had been alluded to by the noble lord; but all he wished was, that a definition of the practice of modern Whigs should not be given, which had no relation either to their opinions or their practice. The noble lord might call his adversaries Whigs, but it was too much to designate them as fools, for, according to the statement given of their opinions, they could be called nothing else. The part of this treaty which particularly struck him with a horror and detestation of its consequences was, that we were compelled to keep up an army of 30,000 men in France; but although he had read through the treaties, he could not see that we were bound to furnish a contingent of British armed troops; and if we were not bound, why, he wished to know, was it the choice of ministers to make the contingent consist only of British troops? Why should they not consist partly of continental troops? Why was it necessary to keep up nearly 100,000 men in the united kingdom and its colonies, and, at the same time, 30,000 men in France, which, he observed, was termed the advanced guard of the British army? Was this an example to the other great powers of Europe to lessen their military establishments? He defied the noble lord to state an instance, where the fall of any empire was not first caused by a standing army. These were, it was said, idle fears; but were they not supported by history? Germany lost her liberty by her standing army. Spain shared the same fate; for when Charles 5th, formed the project, in the plenitude of his power, of destroying the liberties of that country, whom did he employ to execute his designs? Spanish arms and Spanish ministers. At that time it was inquired of the Spanish minister, what power and authority had been given by Charles to adopt such measures? The minister pointing to the military force collected, immediately said, that these were the powers and authority which the king had given him. The same was done by Louis 14th, by his own French troops; and in England what did the army do in the reign of Charles 1st? It turned the parliament out of doors, and took upon itself the government of the nation. Under these circumstances, was it not most dangerous, he would ask, to keep up a standing army so enormous as that now intended to be supported? The noble lord had told us, that part of the contribution already received had been applied to the erection of a monument for cardinal York. By what authority or advice was that money sent by the Prince Regent? It was rather extraordinary to send it for erecting a monument to the last of that family who had been expelled by parliament. If the noble lord wanted an inscription for the monument, he would propose to him the preamble of the bill of rights. In this application of the public money he saw neither generosity nor magnanimity; for what good had any of that family ever done to England? It was merely a studied compliment to what was now-a-days called the principle of legitimacy. He felt assured that there was a project to establish the military system in this country on a footing incompatible with its liberties, and ultimately dangerous to the government itself. The right hon. gentleman concluded an animated speech, of which, from the lateness of the hour at which it was delivered, we can give barely by expressing his hearty assent to the amendment, which had been proposed by his noble friend.

Lord *Castlereagh* began his reply by stating, that at that late hour he would not attempt to follow all the arguments of the hon. gentlemen on the other side of the House. Indeed, he was so much indebted to some of those who had taken his view of the question, that he felt he might safely rest his defence on their speeches, and more especially on the unanswerable argument of his hon. friend near him, who had exhibited so much solid ability, so much just reasoning, almost approaching to demonstration. The principal motive, therefore, that induced him to trouble the House was, to explain some of the arrangements which had been the subject of discussion, in order that the House might be able to come to a satisfactory determination upon them. In the first place, he would say a few words respecting an omission which had been imputed to him, namely, that in the present treaties, the ancient treaties, regularly renewed for so many years, were not to be found. This had formerly been the practice, because each peace carried forward with it the arrangements among the states of Europe which had been previously made, and without the recital of which, therefore, the treaty concluding the peace would have been imperfect. The first departure from this usage was in the treaty of Amiens; and it took place on the obvious principle, that those ancient treaties were wholly inapplicable to the modern case, and that any introduction of them would have created a system not of order but of disorder. Those treaties had been fully considered at the congress of Vienna; but it was found that, in consequence of the French revolution, so great a change had taken place in Europe, and more particularly in the German empire, the old constitution of which had been completely dissolved, that it was in vain to think of referring to the ancient treaties in the new arrangements. All the statesmen assembled at that congress agreed, that, under such circumstances, to revive those old treaties would be to plunge the negociation into inextricable difficulties. But with reference to all practical purposes, this omission was altogether unimportant. The danger of which the hon. gentleman talked as threatened in the event of the union of the crowns of France and Spain, was really at the present day quite visionary. The law of Europe had too long considered those monarchies as incapable of junction, to warrant any serious apprehension from the possibility of their falling into each other. And besides, as between this country and Spain, the treaty of Utrecht, by which the possibility of such an occurrence was provided against, remained in full force. This arrangement had also been confirmed by the treaty of Seville in 1729.

He was anxious also to diminish by explanation a great misconception, much of which had been ably removed by his hon. friend, namely, that the frontier of the Netherlands was, with reference to France, in a state of dangerous weakness. The defence of that frontier would at least not be inadequate during the next five years. The question therefore was, how would it be left after the expiration of that period? The hon. and learned gentleman opposite spoke of the fortresses as incapable of defending the frontier. In 1814, the hon. and learned gentleman's apprehensions were of a different nature—he then feared, not that the frontier would be too weak, but that the government of the country would not be such as he wished it to be. He hoped that that fear had ceased; for although the hon. gentlemen on the opposite side were disposed to maintain, that most governments retrograded in the cause of liberty, it was impossible that they could say so of the king of the Netherlands. Let the House consider the position which Prussia occupied in that quarter. Prussia came down directly on the frontier of France. There could be no better pledge of the determination of the king of Prussia, than that he pressed for the possession, and obtained it, of Sarre Louis, that he had provided for the defence of Luxembourg, and that he was about to re-fortify Treves. When a most efficient military power thus took a position on the frontiers of France, strengthened by three fortresses, it was not to be expected that it would permit the Netherlands to be conquered, as that conquest must expose it to a more facile attack. In fact, Prussia was deeply interested in the conservation of the Low Countries, and would, of course, take good care that France should not turn her flank, and penetrate between the sea and Luxembourg. It was a perfect solecism in military affairs, that Prussia could remain tranquil with France in possession of the Netherlands. Prussia must fight for the Netherlands as for the frontier of her own territories. He did not hesitate to say, that to that defence Prussia appeared perfectly competent. He did not mean that she was equal to meet revolutionary France, if France should unhappily again exert that unnatural strength which had formerly rendered her the scourge of Europe; but he contended that Prussia, possessing a population of five millions of souls, if supported by Great Britain, would be fully able to check any aggressions that France, in her regulated state, might be inclined to attempt. Not only was that part of the frontier strong against France, but the territory open to Landau was so strongly fortified, that if the revolutionary tide did not again flow, it would be perfectly able to resist all ordinary attacks.

The hon. and learned gentleman dealt much in assumption. Where facts did not exist, it was convenient enough to assume them. On these assumptions the hon. and learned gentleman had built up the statement that the allied powers had imposed the government of the Bourbons on France by force of arms, and had thrown over the necks of an unwilling people an odious yoke, from which they would endeavour to disengage themselves on the first opportunity. All this, the noble lord said, he most pointedly denied. Although the British government and its allies always reserved to themselves the right of using all justifiable means which were calculated to insure success in the object which, in coincidence with all Europe, they had in view, namely, the settling of France, they never committed any act in favour of the Bourbons unwarrantable in itself. They felt too well what was due from them to the French nation, and even to the Bourbons themselves; whose cause would have been injured, and not served, by any such step. It would have been impossible for the allied powers to have devised any thing more injurious to Louis 18th, than an endeavour by force to produce that manifestation of feeling towards his majesty, which he (lord Castlereagh) was, from the very first, convinced his subjects cherished, and would gladly show, whenever the military impediments to the expression of their attachment should be removed. The allies had done nothing to deserve the enmity of France. He was not aware that they had done more than this—they had driven before them that rebellious army which had betrayed the interests of their king and country, to place a usurper on his throne. He did not know that the allies had been guilty of any offence, but that of defeating that army, and driving it from Paris; and he knew of no violence having been done to the feelings of the French people by restoring their legitimate sovereign. He did not know what sentiments some portion of them might entertain with respect to Louis 18th, but this he knew, having witnessed his second return to the capital, that wherever he made his appearance, he had been received with transport by the populace. The noble lord said, he had never witnessed a greater display of popular affection than had been called forth by the presence of the king. On his return in 1814, he had been greeted with one general expression of joy, but the demonstrations of satisfaction were still greater in the last year, and he had on no occasion seen enthusiastic kindness more generally elicited from a people in honour of their sovereign than on that. The conduct of the allies with respect to Louis had been perfectly consistent. There was, however, necessarily a difference between the course which they had to pursue, when he was obliged to fly his kingdom, and that which was prescribed to them when he was enabled to resume the administration of the government of France. The relations between the allied powers and him of course changed, when, instead of being compelled to reside out of his dominions, he was again established in the exercise of his functions. The difference to which he alluded, arose from the course which the sovereigns had in the first instance thought the interests of their own subjects, as well as those of Europe, generally made it their duty to pursue. They had not thought it right on entering on the new war, to make the restoration of Louis a *sine quâ non* of peace. But though they had not, in the first instance, felt themselves called upon to declare that they would prosecute the war till he was re-seated on his throne, when he was in a situation to resume his authority, it was not for them to oppose his doing so, and by thus virtually displacing him, risk again disturbing the peace of Europe.

The precedents which he (lord Castlereagh) had brought forward last night, had been objected to by the hon. and learned gentleman (Mr. Horner), on the ground that the circumstances connected with them were not exactly similar to those under which the present treaty had been concluded. That there were differences which ingenuity might detect, he did not deny, but this did not make against the comparison which he had thought might fairly be made. He should be glad to know what two precedents in the history of the world could be found in every respect precisely the same. Though he admitted that some variations might be pointed out in the circumstances, the principle in both instances was identical, and this was enough for his purpose, and nothing had pleased him so much as to find, from the statement of the hon. and learned gentleman, that the whigs of the present day bore so strong a semblance to the whigs of former times. The sentiments of the gentlemen opposite had been, perhaps, more distinctly expressed on the question, how far one country might be justified in taking upon itself to interfere with the internal affairs of another, than they would have been, had he not laid before them the precedents in question, and therefore he did not feel at all disposed to regret that he had been induced to bring them forward. What precedent could be more distinctly in point than that which proved that in former times, to establish the authority of the king of this country on a secure basis, it was necessary to guard against his being left merely dependent on the support which might be afforded to him by the people of these realms? It had been thought no disparagement to British liberty on that occasion to enter into a treaty with the States General, in which it was stipulated, that, should it become necessary, a certain number of infantry and cavalry should be sent over to England, to support the king against the people, if ever they should be so infatuated as to resist the exercise of his lawful authority. Now he would ask if the present government of France was not as lawful and as legitimate as that could be in whose support this treaty had been concluded? Was it not more reasonable that Louis should desire assistance from the interference of a foreign state, than it was that an English monarch should be thus supported who had not that revolutionary spirit to contend with, which at present unfortunately threatened the authority of the king of France. The justice of the interference of one country in the internal affairs of another, was thus established as far as it could be established by precedent, when it was proved, that even under a whig administration a treaty had been concluded, by which a British monarch was made dependant on a foreign state for support against the attempts of his own subjects.

He now wished to offer a few words on the subject of the imputations which had been cast on the present national assemblies of France. It was said that a design had been formed for restoring the national domains to those to whom they formerly belonged. He should much lament the adoption of a measure which would tend so greatly to disturb the tranquillity of France. If the national assemblies should be so unfortunate as to retrace the steps of the revolutionary legislators of that country, by disturbing the present proprietors in their possessions, he would agree with the hon. and learned gentleman, that acting thus they would prove themselves the bitterest enemies, not only of their own sovereign, but of the general tranquillity of Europe. Such a measure he was confident would be in direct opposition to the feelings of the great mass of the French people, and whatever had been said of the manner in which the members of those assemblies were elected, he believed they brought with them a considerable share of the popular feeling into their deliberations. The influence of the government in France had not that effect on the elections, which it had been supposed they had by many persons in this country. He had never heard that the members returned under their influence exceeded a tenth of the whole number, and he had often heard it maintained, that they did not amount to a twentieth. The members of the present chamber were three times as numerous as they were under the late system, and they had a much greater number of constituents, not fewer than 50,000 persons having voted on the elections. These persons were distinguished as those who paid most to the revenue of the country; they were therefore likely to be among the most enlightened portion of the French people. By the elective franchise being placed in such hands, a very tolerable representation of the country was obtained. From the manner in which this assembly had been brought together, and from the feelings by which it appeared to be animated, a strong, if not a conclusive proof might be drawn, of the decidedly favourable impression which had been made on the minds of the French generally, with respect to the character of the king. This was so clearly demonstrated by various circumstances, that he thought the only feeling which existed in France against Louis 18th, was that of the military interest; he meant those who looked for advancement to the creation of an army, to promotion, and to the rewards of exertion in war.

With respect to the scope of the hon. and learned gentleman's argument, which represented the force to be kept up in France as dangerous to our internal situation at home, he should offer a few words. He apprehended the House would be disposed to agree with him, that if we did not keep in existence the means of repelling any new effort that might be made on the part of France, it was possible our neglect in this instance might cause that country, and indeed Europe, to be again deluged with blood. The hon. and learned gentleman, however, seemed against precaution altogether; he would not suffer money to be taken from France—he would not keep up a military force there—and he doubted if he could bring himself to touch the frontiers. He therefore seemed to desire that we should go back to the peace of 1814; and in this he had separated himself from all his political friends.

He should now notice what had fallen from the right hon. gentleman who had spoken last. That right hon. gentleman, turning aside from the dangers which menaced our interests in other countries, had particularly dwelt on the jeopardy in which our liberty at home would be placed by the maintenance of that army which had served us so well abroad. The noble lord said, he did not see the danger himself, and he did not believe the country would easily be brought to recognise it. He could easily conceive the right hon. gentleman might feel it to be his duty to advocate the wise principles acted upon by our ancestors, but that he himself could seriously believe our liberties would be endangered by the circumstance of an English army being kept up in France for a specific service, and for a limited time, he could hardly think possible. It was a romance too extravagant for imagination. He (lord Castlereagh) admitted it would have been possible for our contingent of the force to be maintained in France to have been composed of foreign troops; but he knew not why any feelings of irritation should be excited by an English force being preferred for this duty. He had every reason to believe that the feelings of the French people were most favourable to this arrangement; that they would rather British troops should come in contact with them than those of any other nation. The arrangement would not be expensive to this country, and he did not hesitate to state it to be most decidedly his opinion, that we could not do better than to guard against too hastily breaking down that force which it had cost the country such stupendous efforts to build up, before we were certain we could go on securely without it. If a precautionary system was thought necessary to secure the peace of Europe, he could see no reason why those admirable soldiers, who had deserved so well of their country, should not be kept together (if this could be done without expense to England) for its support. Those who had conquered at Waterloo he had thought might well be maintained in France, at her expense, till the state of the world should be such that we might safely ground our arms, till the danger of re-action was gone by, and the peace of Europe was securely established.

Sir *Charles Monck* did not wish to take any unfair advantage of the noble lord, by rising after he had made his reply. He should not have done this had he not endeavoured but in vain to speak before. He wished, as the conduct of the Whigs of former times had been brought under the consideration of the House, to submit to them a comparative statement of the course which had been pursued by former Tories. [The hon. member was here interrupted by cries of question, and the impatience of the House to divide became extreme.] He had wished, he said, to state what in former times had been the conduct of the Tories, conceiving this to be the last opportunity he should have of doing so, on the present question; but having been informed that his object might be affected when the report of the address was taken into consideration, he was far from wishing, at that late hour, to trespass longer on the patience of the House.

The House then divided:

For the amendment 77
Against it 240
Majority against the Amendment............ —163

The original address was then put, and agreed to.

List of the Minority.

Abercromby, hon. J.
Althorp, viscount
Anson, hon. sir G.
Atherley, A.
Bennet, hon. H. G.
Baring, Alex.
Birch, Jos.
Brand, hon. T.
Burrell, hon. P. D.
Byng, G.
Brougham, H.
Campbell, gen.
Campbell, hon. J.
Cavendish, lord G.
Cavendish, hon. C.
Cavendish, hon. H.
Caulfield, hon. —
Duncannon, visc.
Ebrington, visc.
Fergusson, sir R.
Fitzroy, lord J.
Fremantle, Wm.
Fazakerley, J. N.
Gordon, R.
Guise, sir B. W.
Hanbury, Wm.
Heron, Sir R.
Knox, Thos.
Law, hon. Edward
Lambton, J. G.
Lemon, sir W.
Lewis, Frankland
Lyttelton, hon. W.
Maitland, hon. A.
Markham, admiral
Mathew, hon. gen.
Molyneux, H. H.
Madocks, W. A.
Martin, John
Martin, Henry
Monck, sir C.
Moore, Peter
Morland, S. B.
Mackintosh, sir J.
Newport, sir John
North, D.
Neville, hon. R.
Nugent, lord
Pelham, hon. C.
Pelham, hon. G.
Peirse, H.
Philips, Geo.
Piggott, sir A.
Powlett, hon. W. V.
Ponsonby, rt. hon. G.
Ponsonby, hon. F. C.
Palmer, C.
Rancliffe, lord
Russell, lord John
Russell, R. G.
Ramsden, J. C.
Ridley, sir M. W.
Romilly, sir S.
Rowley, sir Wm.
Sebright, sir J.
Scudamore, R. P.
Smyth, John H.
Smith, Wm.
Tavistock, marquis
Tierney, rt. hon. G.
Townshend, lord J.
Waldegrave, hon. capt.
Walpole, hon. gen.
Western, C.
Wilkins, W.
Wynn, sir W. W.
Wynn, C.

TELLERS.

Milton, viscount
Horner, F.

The House adjourned at four o'clock on Wednesday morning.

HOUSE OF LORDS.

Thursday, February 22.

STATE OF THE NATION.] The Duke of *Bedford* said, that in consequence of the rejection of the amendment of his noble friend (lord Grenville), and considering the immense peace establishment now in contemplation, the great pressure of taxation by which it was proposed to support that establishment, and the internal distress of the country, particularly of that part of the united kingdom called Ireland, he felt it his duty to call the attention of the House to the state of the nation, and therefore gave notice of a motion for that purpose for Thursday se'nnight. His grace moved that the lords be summoned for that day, which was ordered.

HOUSE OF COMMONS.

Thursday, February 22.

Mr. *Gooch* presented a petition from the land owners, farmers, and other occupiers of land in the county of Suffolk, complaining of the distresses under which they laboured. The hon. member said he could assure the House that the petition was signed, not as petitions were sometimes signed, by persons who would put their names to any thing, but by upwards of one thousand of the most respectable inhabitants of the county, who were absolutely weighed down by the pressure of the times [Hear, hear!]. They alleged in the petition, that it would be impossible for them to go on if some relief was not afforded. They could neither pay the taxes nor their landlords, and they pointed out the malt duty, and the agricultural horse duty, as to things from which relief might be given to them. Ordered to lie on the table.

The Grand Junction Water Works Bill was read a second time, and ordered to be referred to a committee.

A petition was presented from the town of Tiverton against the renewal of the property tax.

At the suggestion of the Speaker, the dropped orders of the preceding day were disposed of.

Mr. *Baring* inquired, if he was at liberty to bring on his motion respecting the transactions in Ceylon, without another notice?

The *Speaker* said, he apprehended that a dropped motion was gone, until revived by a fresh notice. The House, if it saw fit, might resolve upon letting it proceed, but no member was entitled, as a matter of right, to do so.

Lord *Castlereagh* observed, that if the object of the hon. member's motion was merely for information, which the government would willingly give, he should feel disposed to let it come on then, but if it was intended to raise a discussion upon the question, he should prefer another notice being given, and as a matter of personal convenience to himself, should request that it might not be to-morrow.

Mr. *Baring* then gave notice for Wednesday next.

PILLORY ABOLITION BILL.] Mr. *M. A. Taylor* rose, in pursuance of his notice, to move for leave to bring in a bill to abolish the punishment of the pillory. After what had passed upon this subject, when it was brought before the House in the last session, on which occasion his proposition met with the unanimous concurrence of the House, he did not now think it necessary to say much. It would be recollected, that after the bill had passed all its stages in this House, it had gone up to the other House, where, in consequence of the indisposition of the noble lord on the woolsack, it remained till nearly the close of the session. There were those who then thought it desirable to postpone the question till the present session, and in obedience to their wishes, he now again had to present the subject to the notice of parliament. In the conversations which he had heard upon the policy of this measure, he had met no person who was not friendly to the principle of the measure, although some might think it prudent, that the punishment of the pillory should not be abandoned *in toto*. Notwithstanding these opinions, however, it was his intention to bring in the bill in the same shape in which he had introduced it last year, and if it should undergo amendments, he should at least have the satisfaction of procuring some alteration in a practice so extremely objectionable in every point of view. The main ground upon which he rested his dislike to the punishment of the pillory was, that it was a punishment which could not be measured or dealt out by a court of justice, but was apportioned solely by the caprice of the multitude. For this reason it was, that he thought it ought no longer to remain upon the statute book. He would not now enter into the reasons why he should not even wish this punishment to extend to that abominable offence, which was so disgraceful to human nature, and to which it had recently been so often apportioned. He did think, that such exhibitions were productive of no moral good; but, on the contrary, tended to increase the vice it was meant to suppress. The inequality of the punishment in its application, however, was one argument, which he considered decisive, as to the propriety of its no longer being suffered to exist. This inequality was evident, from a baker for selling bread short of weight, being as much subject to the punishment, as a man who had placed the life of a fellow-creature in jeopardy, by calling God to witness a gross and diabolical falsehood. Upon the whole, he thought the punishment ought to be abolished altogether; and therefore, begged leave to move, "That leave be given to bring in a bill for the abolition of the punishment of the pillory."

Sir *Robert Heron* said, he had a strong feeling respecting this bill, and doubted almost whether to venture on giving his opinion to the House, though his mind was made up on the subject. The improved and mild morality of the present times had been disadvantageous so far as it was too lenient to crimes, and had too much pity for former acquaintances and connexions. This sometimes paralyzed the arm of the law, and gave facilities for the escape of guilty persons. It sought to retain in society those who had disgraced it. He meant to offer an amendment to the bill, but should not press it, if it appeared against the sense of the House. Certain offences had of late much increased, and, he feared, owing too much to the prevailing mildness and indulgence. All who attended the assizes must know how difficult it was to convict capitally offenders of this nature. Evidence could generally be got only by the suspicious testimony of an accomplice. Convictions were chiefly for assaults with a further intent. As to transporting these persons, it might subject others transported to punishments worse than what the law inflicted. If such crimes were effectually checked in upper life, it would have a great effect. The wretch, who stood in little fear of imprisonment, pillory, or death, might perhaps be affected by the terror of perpetual disgrace and scorn.

Mr. *M. A. Taylor* said, he was sure he could satisfy the hon. baronet in private, that there was but little hope of reform to be expected from persons addicted to this atrocious offence, under any circumstances of punishment, however severe.

Leave was given to bring in the bill.

ADDRESS RESPECTING FEES PAID TO CLERKS OF JUDGES, &c. IN SCOTLAND.] Sir *John Newport* said, that on the 20th of last April the House agreed to an address to the Prince Regent, praying that he would be graciously pleased to give directions to the lords of the court of session in Scotland, to lay before the House an account of all the fees and duties paid or payable to the clerks of the ordinary judges in the court of session, from the institution of the college of justice down to the 1st of August, 1789, as also all acts of *sederunt* issued by the same court down to the same period. On the 25th of April a most gracious answer was communicated to the House, stating that his royal highness had given directions accordingly. No return, however, making its appearance, another address was agreed to on the 24th of May, praying that his royal highness would be graciously pleased to order that the account should be laid before the House forthwith. Another gracious answer was received, purporting that his royal highness would give the necessary directions. But although the session of parliament continued until the 12th of July, the lords of session did not think proper to lay the required statement on the table of the House. This neglect he strongly reprobated, and it was with a view of asserting the authority of the House, and of convincing every court in the united kingdom, that when the House required the production of papers, it was that court's bounden duty to produce them, that he should now move "That an humble address be presented to his royal highness the Prince Regent, stating that on the 20th of April last, &c. &c. [here the object of the original motion was repeated], humbly representing to his royal highness, that although the session of parliament did not terminate until the 12th of July following, the said papers were not laid on the table of the House, and praying therefore that his royal highness would be graciously pleased to give directions that they should be presented forthwith, together with a statement of the reasons, if any can be assigned, which induced the court of session to fail in conforming to the directions of his royal highness the Prince Regent, expressed in his gracious answer to the address of the House." He was the more suspicious as to the motives of the delay, because he well remembered that on a former occasion great reluctance had been manifested by the court of session to produce a return required by the House, which return, when it was produced, proved that the court had set at nought an act of parliament. He was afraid that the person at the head of the court of session had not forgotten the doctrines which he broached when he was lord advocate, and that he did not know to what his powers extended, or where they terminated.

Mr. *William Dundas* declared, that if he thought the court of session had any disrespectful intention towards that House, he would be the last man to defend them, but he was convinced that that was not the case. The fact, he believed, was that the right hon. baronet, not satisfied with having in 1814 moved the appointment of a commission to inquire into the subject, in 1815 made the motion which the House was now called upon to enforce, and that the court of session conceived that it would be sufficient to submit the required information to the commission. As to the acts of *sederunt*, no such acts had been made by the court, who had therefore made no return. He allowed that it might have been better had the court of session returned "*nil*" to the order of the House; but he was persuaded that there was no intentional disrespect on their part. He wished, therefore, that the right hon. baronet would erase those censorious expresseemly, that at the moment when the people were assembling to express their opinions, his majesty's ministers should take measures to prevent their voice from being available. When on Monday next the noble lord opposite should begin to address the House on the subject, he should object *in limine* to go into it.

The petition was ordered to lie on the table.

Account of Sums due from France to this Country.] Sir *James Mackintosh* moved, "That there be laid before this House, an account of all sums of money, paid or now due and payable to this country by France, in virtue of the treaties or convention concluded at Paris on the 20th of November last, and of such parts thereof as have been received, specifying by whom; together with an account of the application thereof, and of the authorities under which the same has been issued."

The *Chancellor of the Exchequer* thought the hon. member had better proceed by way of address.

Sir *James Mackintosh* stated, that in the present case he was not aware of that necessity.

The *Speaker* said, that an address would be more respectful, as the motion related to the operation of a treaty concluded by the Crown. The right hon. gentleman, however, immediately added, "I percieve that the motion refers to sums actually paid, and which are now in the hands of officers amenable to this House, consequently the motion is sufficient."

The question was then agreed to.

Garrisons abroad.] The following paper was presented to the House by lord Palmerston:

A Return of the Number of Men borne and Mustered in the different Garrisons abroad;—from the Year 1786 to the Year 1791 inclusive; distinguishing each Year.

	1786: MEN Borne and Mustered.	1787: MEN Borne and Mustered.	1788: MEN Borne and Mustered.	1789: MEN Borne and Mustered.	1790: MEN Borne and Mustered.	1791: MEN Borne and Mustered.
Gibraltar	3,629	3,701	3,753	3,889	4,367	4,188
Leeward Islands	1,550	1,415	3,973	3,824	4,683	3,851
Jamaica	1,479	1,527	1,837	1,803	2,195	1,841
Canada	2,227	2,343	2,475	2,482	2,665	2,751
Nova Scotia and the Bahamas	2,190	2,330	2,441	2,408	2,832	3,139
East Indies	4,123	4,892	6,505	7,319	7,443	7,633
New South Wales	- -	- -	- -	- -	160	397

War Office, 23d February 1816. Palmerston.

Accounts of Peace Establishments.] Lord Palmerston presented to the House, pursuant to their orders, the following papers: viz.

A Return of the Expense and Numerical Amount of the Military Establishment of *Great Britain*;—for the Years 1714; 1730; 1749; and 1764.

YEARS.	EXPENSE. £.	s.	d.	Numerical Amount of Military Force, Officers and Men.
1714	795,182	4	2½	22,054
1730	1,140,432	2	9	35,930
1749	1,098,357	6	3	33,058
1764	1,345,541	9	6½	31,777

Memorandum:—These Sums included, in addition to the Regimental Charge;—1. The Expenses of Chelsea Hospital, Half Pay, and Widows Pensions.—2. A Provision for 12,094 Hessians, amounting to 241,259*l.* 1*s.* 3*d.* in 1730.—3. The Sum of 80,000*l.* for the Pay and Clothing of the Militia; in 1764.

This Return does not include the Numbers and Charge of the *Irish* Establishment.

War Office, 22d February 1816. Palmerston.

AN ACCOUNT of the Effective Number and Established Strength of REGIMENTS of CAVALRY, GUARDS, and INFANTRY, borne on the *British* Establishment; and the General Distribution of the said Forces; in the years 1791 and 1792.

STATIONS.	1791:	Effective Rank and File.	Establishment.
Great Britain .... Jersey and Guernsey.	Two Regiments of Life Guards	387	460
	Royal Regiment of Horse Guards.........	230	319
	13 Regiments of Dragoon Guards and Dragoons..............................	2,318	3,037
	3 Regiments of Foot Guards	3,009	3,765
	14 Battalions of Foot........................	5,766	7,113
	9 Recruiting Companies	261	494
	40 Companies of Invalids....................	1,496	1,922
	Recruits at home, for Regiments abroad	732	
		14,199	17,110
Gibraltar	10 Battalions of Foot.........................	3,991	4,690
Jamaica........................	4 Battalions of Foot........................	1,566	1,876
Leeward Islands.........	9 Battalions of Foot..........................	3,430	4,221
Canada	6 Battalions of Foot.........................	2,282	2,815
Nova Scotia and the Bahamas	7 Battalions of Foot.....	2,229	3,283
	Recruits sent to North America and the West Indies	591	
		28,288	33,995
East Indies.............	1 Regiment of Dragoons.............. 9 Battalions of Foot including 2,937 Recruits sent	9,533	10,475
		37,821	44,470
New South Wales.......	5 Companies New South Wales Corps.	350	397
	Total, 1791...	38,171	44,867
	1792:		
Great Britain .... Jersey and Guernsey.	Two Regiments of Life Guards	837	460
	Royal Regiment of Horse Guards.........	221	319
	13 Regiments of Dragoon Guards and Dragoons..............................	2,368	3,037
	3 Regiments of Foot Guards	2,909	3,573
	16 Battalions of Foot........................	5,178	6,384
	9 Recruiting Companies	75	224
	40 Companies of Invalids	1,513	1,922
	Recruits at home, for Regiments abroad	441	
		13,092	15,919
Gibraltar	9 Battalions of Foot........................	3,380	4,221
Jamaica	5 Battalions of Foot......	1,925	2,345
Leeward Islands...... .	8 Battalions of Foot..........................	2,849	3,752
Canada	7 Battalions of Foot........................	2,661	3,247
Nova Scotia and the Bahamas............	7 Battalions of Foot.............	2,687	3,283
		26,594	32,767
East Indies	1 Regiment of Dragoons .... 9 Battalions of Foot including 3,645 Recruits, sent in 1790, 91 & 92...	9,647	10,475
		36,241	43,242
New South Wales	5 Companies New South Wales Corps.	316	475
	Total, 1792...	36,557	43,717

War-Office, 16th February 1816. PALMERSTON.

An Account, showing the Average numbers and Expense, of the Military and Naval Establishments maintained by this Country, in the several periods of Peace, from the Treaty of Utrecht to the Commencement of the American War;—so far as the same can be ascertained.

In the YEARS.	Number of MEN voted for the				SUMS granted for the								
	ARMY.	NAVY.			ARMY.			NAVY.			ORDNANCE.		
					£.	s.	d.	£.	s.	d.	£.	s.	d.
1715	- -	10,000		- -	1,024,907	5	2½	1,146,748	0	11	93,629	10	9
1716	- -	10,000		- -	1,520,082	19	8½	984.472	19	6	122,496	18	2½
1717	- -	10,000		- -	1,273,910	9	6	947,560	5	3	73,077	9	3
1718	- -	10,000		- -	919,731	14	8½	910,174	14	11	73,327	12	11
1719	- -	13,500		- -	809,636	17	6½	1,003,132	17	6½	71,527	12	11
1720	14,469	- -		- -	926,643	16	8	1,397,733	16	3½	81,720	2	0½
1721	14,249	- -		- -	832,174	4	8½	789,249	14	0	93,168	13	11
1722	14,294	- -		- -	844,471	12	10½	1,607,894	4	4¼	93,116	11	11¾
1723	18,294	10,000		- -	941,990	10	8½	736,388	14	8½	80,000	10	9¾
1724	18,264	- -		- -	923.299	2	4¼	734,622	15	10	80,000	7	0
1725	18,264	- -		- -	912,968	2	8¼	734,295	14	9	80,080	11	10
1726	18,226	- -		- -	901,034	7	8½	732,181	5	8	86,412	14	3
1727	26,383	- -		- -	1,341,730	7	8½	1,239,071	7	8	100,000	0	0
1728	22,955	15,000		- -	1,370,183	17	2¾	1,495,561	14	9	197,704	3	6¾
1729	22,955	15,000		- -	1,352,138	19	5½	927,025	10	5	129,249	3	6
1730	17,709	10,000		- -	1,195,712	15	2¾	837,786	16	5	120,420	9	3
1731	17,709	10,000		- -	1,214,809	10	9	706,034	4	4	112,923	10	10
1732	17,709	8,000		- -	934,381	17	2½	668,085	7	5	106,891	17	3
1733	17,709	8,000		- -	907,592	13	10	710,698	19	8	99,980	17	4
1734	17,704	20,000		- -	980,886	14	3½	2,390,670	5	9	138,813	17	9
1735	25,744	30,000		- -	1,159,621	1	1¼	1,680,914	9	7	182,453	5	3
1736	17,704	15,000		- -	1,004,020	2	10¼	988,436	4	10	123,350	17	5
1737	17,704	10,000		- -	1,039,198	10	4½	763,201	6	5	106,328	5	5
1738	17,704	10,000		- -	961,786	19	9	1,041,885	12	5	127,019	4	7
1739	17,704	12,000		- -	950,911	4	9½	815,489	2	6	141.791	17	9
1740	28,852	35,000		- -	1,268,428	10	11¾	1,928,704	8	3	231,434	4	8
1741	29,033	40,000		- -	1,703,194	6	2¾	2,390,531	17	6¾	295,296	4	11
1742	35,554	40,000		- -	1,809,143	19	10	2,445,320	11	9	314,431	16	0
1743	23,610	40,000		- -	2,340,229	8	4¾	2,333,505	11	5	348,686	0	7
1744	19,028	30,000		- -	2,673,675	14	7½	2,200,279	10	9¾	355,455	2	4½
1745	15,768	40,000		- -	1,989,362	10	5¾	2,256,830	7	3½	367,435	6	1
1746	49,229	40,000		- -	2,591,715	14	7	2,351,281	4	8½	526,319	19	6
1747	33,030	40,000		- -	2,398,333	7	5¼	3,470,656	16	3	581,213	8	2
1748	49,939	40,000		- -	3,026,109	17	4¼	3,340,261	16	11	605,629	18	2
1749	18,857	17,000		- -	1,516,486	5	1	2,135,678	0	8	221,347	15	10
1750	18,857	10,000		- -	1,238,704	9	11	995,521	5	10	167,671	9	6
1751	18,857	8,000		- -	1,077,345	19	0½	1,035,759	7	10	129,223	10	7
1752	18,857	10,000		- -	1,041,554	19	6	1,769,203	19	8	147,850	13	9
1753	18,857	10,000		- -	1,067,021	0	11½	784,206	13	11	140,079	8	9
1754	18,857	10,000		- -	1,068,185	10	5½	884,390	2	9	147,139	4	6
1755	18,857	12,000		- -	1,139,548	1	1½	1,683,088	14	1	180,340	6	2
1756	34,263	50,000	including of Marines.	9,000	2,154,540	5	2½	3,219,021	3	0	428,655	3	2
1757	49,749	55,000		11,419	2,316,118	11	0½	3,369,939	7	7	580,496	19	5
1758	53,777	60,000		14,845	4,032,772	3	9¼	3,718,421	5	8	547,807	7	3
1759	52,543	60,000		14,845	4,592,444	1	9¾	5,080,263	9	3	699,814	17	6
1760	57,294	70,000		18,355	6,622,736	11	1¼	5,429,708	1	7	708,494	15	0
1761	64,971	70,000		18,355	8,344,030	14	4	5,412,790	7	0	910,716	13	11
1762	67,676	70,000		19,061	5,772,251	12	9	7,657,205	13	2¼	824,916	2	3
1763	56,360	30,000		4,287	4,593,805	13	11	1,975,661	3	11	282,329	0	0
1764	17,532	16,000		4,287	2,530,745	10	7	2,053,200	0	0	267,689	5	4¼
1765	17,421	16,000		4,287	1,981,602	10	6	2,909,366	8	9	271,793	6	5
1766	17,306	16,000		4,287	1,910,413	8	6	2,680,683	6	3	257,107	5	3
1767	16,754	16,000		4,287	1,587,572	13	11	1,827,721	4	8	262,390	6	3
1768	17,253	16,000		4,287	1,472,484	10	10¼	1,484,757	0	11	269,873	4	5
1769	17,142	16,000		4,287	1,497,921	8	4	1,883,068	8	1	267,360	17	0
1770	17,666	16,000		4,287	1,547.931	1	1¼	1,580,467	1	11	249,518	2	1
1771	23,432	40,000		8,073	1,810,319	13	1	2,978,499	18	7	398,517	17	6
1772	17,547	25,000		6,664	1,551,428	2	1	2,005,664	17	6	313,382	3	7
1773	17,070	20,000		4,354	1,516,402	7	3¾	1,833,573	0	9	288,414	18	5
1774	18,024	20,000		4,354	1,549,720	0	0	2,052,917	4	3	323,124	17	7
1775	17,547	18,000		4,774	1,597,051	9	9¾	1,637,259	15	10	307,607	6	10

Whitehall, Treasury Chambers, 21st February 1816.

C. Arbuthnot.

HOUSE OF LORDS.

Friday, February 23.

Subsidiary Treaties.] The Marquis of *Lansdowne*, in pursuance of his notice, adverted to the information which it became necessary to move for, in order to elucidate some points connected with the treaties which they had recently had under discussion. He alluded more particularly to the subsidiary treaties for procuring a considerable German force in aid of the common cause. In what was stated by the ministers respecting this subject in the course of last session, it was distinctly alleged, that the whole expense of these subsidies was to be at the rate of 11*l.* 2*s.* per man. Yet it now appeared by the documents on the table, that in August last two *ex post facto* treaties were concluded at Paris with the governments of Hanover and Brunswick Luneburgh, under which the whole expense incurred for every man sent to our armies by these governments was to be defrayed by this country; and not merely this, but even the kettles and drums were to be included in the amount of expense and paid for in the same way. He trusted no one would suppose that in saying this, he meant the slightest reflection on the troops of those states which were employed by us; on the contrary, their gallantry and bravery were deserving of every encomium. His object was to protest against this system of concealing from parliament facts with which they ought to be made acquainted; he being entitled to assume, that ministers, at the time they stated the whole expense of these troops to be incurred at 11*l.* 2*s.* per man, must have known of those circumstances; whatever they were, that would be the cause of our incurring that further expense, which was the subject of the two treaties subsequently entered into. A similar thing happened in the session before last, when, without the knowledge of parliament a treaty was concluded for maintaining the Russian navy then in our ports, by which an expense of 500,000*l.* was incurred. The treaty was not communicated to parliament until long afterwards, and to this day the motives of it remained unexplained. He deprecated this kind of concealment, which had been so strongly also exemplified in the present instance, in the treaties concluded with Hanover and Brunswick Luneburgh, in direct contradiction to the assurances of ministers to parliament, as to the amount of expense to be incurred. On another question also, the pecuniary indemnity to be paid by France, he wished to bring the question before the House, whether the sums paid on account of it, and the issues out of those sums, were subjected to the regular constitutional control of parliament? The noble marquis concluded by moving for an account of the sums paid by Great Britain to the governments of Hanover and Brunswick Luneburgh, on account of the treaties concluded at Paris in August last; and also an account of the sums paid by the French government, on account of the pecuniary indemnity to be paid by France, to whom paid, and the payments made thereout.

Earl *Bathurst* said, he had no intention of opposing the motions, and could assure the noble marquis, that when he laid the papers on the table, he should explain the motives of the treaties with Hanover and Brunswick Luneburgh in a manner that would, he trusted, be perfectly satisfactory.

The Earl of *Lauderdale* suggested, that this country, in addition to the expense mentioned by his noble friend, was also charged with the payment of pensions to the Hanoverian troops, the widows of officers, &c. and that this item should be included in the motion.

This was done, and the motions thus amended, were agreed to.

HOUSE OF COMMONS.

Friday, February 23.

Petitions against the Property Tax.] General Loftus presented a petition from the inhabitants of Great Yarmouth in the county of Norfolk, against the property tax.

Mr. *Lacon* thought it his duty to state his reasons for dissenting from the prayer of the petition presented by his hon. colleague. He should vote for the property tax, because he was convinced that, in the distressed state of the country, neither the present, nor any set of ministers, would impose such a burthen, if it were not absolutely necessary. He deprecated the mode which had been suggested by an hon. alderman of raising the money wanted by loan. But should it be proposed to continue the property tax for more than a year or two, however modified, it should then meet with his decided opposition. In all local matters he should most implicitly obey the directions of his constituents, but, in political questions, he should retain the right of expressing his own opinions.

AGRICULTURAL DISTRESSES.] Mr. *Holme Sumner* said, that considering the anxiety which must necessarily be felt throughout the country as to the nature of the relief which it might be in contemplation to propose for the agriculturalists, and especially in reference to the notice already given by an hon. member, whose knowledge and experience on that subject were much looked up to, he hoped he should not be regarded as taking an unparliamentary course in requesting from that hon. gentleman some general outline of the proposition which he intended to submit to the House.

Mr. *Western* replied, that he should be most happy to comply with the request of the hon. member, if he thought that by so doing he should be acting consistently with the very nature of the motion of which he had given notice. That motion was for a committee of the whole House to take into consideration the distressed state of the agriculture of the country, and to devise some means for relieving it from the perilous and unexampled difficulties under which it now laboured. If, therefore, he were to anticipate the object of that motion by any premature statement, he should defeat it altogether, as his sole view was to elicit the collective wisdom and information of the House. For himself, he certainly had some plans which he intended to propose, as likely to be productive of the desired relief, but he could not think it expedient to state them at the present moment.

Sir *C. Burrell* presented a petition from certain land-holders, land-owners, &c. of the town of Steyning, in Sussex, complaining of the agricultural distresses. The hon. baronet was about to read the petition, when

The *Speaker* reminded him, that it was the duty of a member to state the substance merely, and that of the clerk at the table to read it at length. It would be an entire departure from parliamentary practice, for any hon. member to read the whole of a petition, though he was certainly at liberty to read particular parts. With that explanation the hon. member would not be at a loss as to what he was to do.

Sir *C. Burrell* proceeded to state the substance of the petition, observing, that among many other topics of grievances the petitioners particularly alluded to the impossibility of paying the poor-rates, the tenants property tax, and the tythes, out of the produce of their farms. They also referred to the great relief which they would experience from the repeal of the war malt duty.

The petition was ordered to lie on the table.

Sir *Thomas Acland* presented a petition from certain gentlemen, proprietors and cultivators of land, residing in the vicinity of Exeter, complaining of the distress which they felt. He stated, that there was one circumstance connected with the petition, which was peculiarly worthy of the attention of the House. It was signed by about 500 of the principal yeomanry of the county, that highly respectable and most important class of the community. Though they were not numerous, they might fairly be considered as speaking the sense of that part of the country. The hon. baronet stated the substance of the petition, which referred to the extreme distress felt by the agricultural interest, which was so great indeed, that they were compelled to draw upon their capitals in order to support themselves; and that they would resort to other means than the cultivation of the ground for that support, if there were any profitable mode of employing their money. They concluded their petition, not by calling for any specific relief, but by throwing themselves on the feelings and sympathy of the House, and relying upon their judgment for the best means of affording it.—Upon the petition being read by the clerk,

Mr. *Brougham* expressed his surprise, that the hon. baronet, in stating the substance of the petition, had omitted to mention the property tax, as one of the principal causes of the distress complained of. He was led to conclude that the petition was merely a general and vague application to the legislature for relief, without pointing out any means by which the relief could be obtained. It appeared, however, from the reading of the petition, that the omission was in the hon. baronet himself, and not in the petition. The petitioners themselves were aware of the source of their sufferings, though the hon. baronet did not think fit to touch upon it. In point of fact, therefore, the petition was as much a petition against the property tax, as it was for relief generally.

Sir *T. Acland* said, he wondered the hon. and learned gentleman did not express another part of his surprise, that any one could be so devoid of common sense as to come down to that House with a petition, of which he wished a part to be concealed, and yet desire it to be read at length by the clerk, in order to expose his own inadequacy. If the hon. and learned gentleman had only done him the honour to attend to the general way in which he opened the matter of the petition, he would have had no occasion to make the remarks which he had so precipitately offered to the House; and if he would only allow him to go through the other petition which he held in his hand, he would see from his conduct, whether he had any design to suppress or omit any thing materially connected with their object.

Mr. *Brougham* disclaimed any idea of imputing to the hon. baronet the motives which he seemed to imagine was his intention. He only meant to express his surprise at finding the contents of the petition differ so materially in a substantive part of it, from what might have been expected from the manner in which it had been opened by the hon baronet.

The *Chancellor of the Exchequer* observed, that his hon. friend had only stated generally the grievances of which the petitioners complained, and the hon. and learned gentleman had no right to say that the petition was against the property tax, more than any of the other grievances.

Lord *Binning* thought, from the manner in which the hon. and learned member had described the nature of the petition, that he would find the property tax put forward in it as a great and leading grievance. But he saw that it was only mentioned in company with servants' wages and manure.

Mr. *W. Smith* observed, that even in that case, as the property tax was the subject which occupied the consideration of parliament, and not servants' wages and manure, the petition must be considered as against the property tax.

Sir *T. Acland* considered that the statement of the hon. gentleman would have made it appear, as if he wished to sink the merits of the question. That was far from his intention. Had that hon. member considered the petition, he would have found that it stated all the burthens which pressed upon agriculture, and the property tax only, as one amongst the rest.

Mr. *Preston* thought that the man who did not tell the truth at the present moment, was a traitor to his country. In twelve months time the country would want the necessaries of life. Did not the House know that one part of the metropolis was starving? Some were supported by charity, and others running towards prison and ruin. A vast trade was carried on in smuggling corn from other countries. He did not mean to oppose the petition, but he thought it his duty to speak his opinion, when the country was rushing into ruin by the immensity of taxation on the one hand, and the weakness of ministers on the other.

Sir *T. Acland* presented a petition to the same purport, and in the same words as the first, from the gentlemen proprietors, cultivators, and occupiers of land, near Honiton, in the county of Devon, which was read and ordered to lie on the table.

Sir *T. Acland* then stated, that he held several petitions of a nearly similar nature, from various parts of Devonshire. One of them recited the distresses of agriculture, and called upon the House for relief from the great burthen of taxation principally owing to the property-tax. Another stated, that as the land-owner paid 10 per cent., and the land-occupier seven, the whole amount of the tax was in fact 17 per cent. He concluded by presenting those petitions, which were read, and ordered to lie on the table.

MONUMENT TO SIR THOMAS PICTON.] Mr. *Jones* observed, that as he saw a right hon. gentleman in his place, who was chairman of the committee for superintending the erection of national monuments, he wished to know whether only 3000 guineas was to be the sum allotted to the erection of a monument to the memory of sir Thomas Picton. He certainly thought that sum too small, and the more so, as he had been in St. Paul's that day, and observed several monuments erected to the memory of post captains in the navy, some of which had cost four and even six thousand pounds.

Mr. *Long* replied, that no person could be more sensible of the eminent services of Sir Thomas Picton than he was; but as to the sum allotted for his monument, that did not fall within his department, it being altogether at the discretion of the Lords of the Treasury. He could state, however, that the sum certainly was to be

3000 guineas. He was not aware that any of the monuments in St. Paul's, erected to the memory of post captains in the navy, had cost a larger sum, though it might possibly be the fact. But it should be remembered, that during the war, the difficulty of procuring the marble usually employed for monuments was so great, and the expense so much larger, that what then cost as much as six guineas per foot, was now reduced to somewhat about two guineas. A less sum therefore, would be necessary for a monument of equal magnitude.

Mr. *Jones* said, that the answer of the right hon. gentleman was not satisfactory to him; and he was proceeding to make some further remarks, when the Speaker reminded him, that as he had not announced his intention of concluding with a motion, there was then no question before the House. Mr. Jones apologized for the irregularity, of which he was not aware, being only a young member of that House, and stated that he should feel it his duty, on some future occasion, to bring forward a motion upon the subject, unless he was anticipated by the right hon. gentleman, or some other member.

THE EARL OF ELGIN'S PETITION.] The *Chancellor of the Exchequer* rose, in pursuance of his notice, to call the attention of the House to the collection of marbles in possession of the Earl of Elgin. Towards the close of the last session of parliament, the noble earl had presented a petition to the House, praying that an inquiry might be made into the value of his collection, which he was desirous of selling to government for the use of the public.* The circumstances under which the noble lord had become possessed of those matchless productions were so well known, that the right hon. gentleman said, he would not trouble the House at any length on the subject. They were acquired by him, in the course of his mission to Constantinople, with the greatest exertions, and at a very considerable expense, and might be justly considered as the most valuable works of art that had ever been brought from the western parts of Europe. Every person acquainted with that noble lord must be aware, that his object had been solely directed to the advancement of the arts; but being unable, from circumstances which it was then unnecessary to repeat, to fulfil his munificent intentions, he was naturally anxious that the public should enjoy the advantage of his labours. As to the amount of the remuneration to be given to his lordship, the right hon. gentleman wished to leave it to the judgment of the house. The collection was too well known to make it necessary for him to refer to the opinions of the most eminent artists; it was, beyond all question, the most ancient and genuine that had ever appeared, and the country would be naturally proud of possessing a mass of models for the arts, which the united collections of Europe could hardly produce. The committee, however, for which he intended to move, would be enabled to call proper judges before them in order to ascertain the value. It was agreed, on both sides of the House, that, in the present situation of the country, it was in the highest degree desirable to avoid any unnecessary expenditure; but it should not be forgotten, that if the present opportunity was neglected it might never occur again. He saw no prospect but, in the course of a short time, these exquisite works of art must be dispersed, or disposed of to foreign purchasers. The House had before an opportunity of acquiring a valuable collection, and they had, for public purposes, and on public grounds, availed themselves of it. They had now the offer of a more splendid collection; and it was certainly one of the most wonderful events of the day, that the works of Phidias should become the property of a native of Caledonia. The desire of conferring honour on the arts as well as on the arms of this country was the object of his motion; for, of all the arts, sculpture was at present the least flourishing in England. He should therefore move, "That the Petition of the earl of Elgin, which was presented to the House on the 15th of February last, be referred to a select committee, and that they do inquire whether it be expedient that the collection therein-mentioned should be purchased on behalf of the public; and if so, what price it may be reasonable to allow for the same."

Lord *Ossulston* said, he could not object to procuring the advantage of such an interesting collection to the country. A question, however, might arise, whether an ambassador, residing in the territories of a foreign power, should have the right of appropriating to himself, and deriving benefits from objects belonging to that power. It was not the respect paid to lord Elgin, but to the power and greatness of the country which he represented, that had given him the means of procuring these *chefs-d'œuvres* of ancient sculpture. He thought, therefore, that the House should go no farther than to remunerate the noble lord for the trouble and expense at which he had been in bringing over these marbles.

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* See vol. 31. p. 828.

Mr. *Bankes* said, that the Committee would have to ascertain the mode in which the noble lord obtained these marbles, the expense to which he had been put with respect to them, and what degree of vested right the public already possessed in them. The noble lord could certainly not be considered as an independent traveller, who had a right to dispose of, at any price that he could obtain, whatever he might have collected in the course of his researches. He had availed himself of his character as an English ambassador to facilitate the acquisition. He confessed, that instead of leaving the question altogether to parliament, he should have thought it better had the noble lord fixed the price that he required. Under all the circumstances, however, although he was persuaded that the Committee would have an inconvenient and a laborious task, and although he felt very sensibly the difficulties of the times, yet the collection was one of such acknowledged value, one so unrivalled in its nature, and which it was so much to be desired that the public should possess, that he could not hesitate to entertain the proposition made by his right hon. friend.

Mr. *Abercrombie* agreed that it was a matter of public duty not to hold out a precedent to embassadors to avail themselves of their situation to obtain such property, and then to convert it to their own purposes. He was sure, however, that the noble lord would inform the committee of the extent of his facilities. As to obstacles in forming a reasonable estimate, he conceived it would not be found so difficult as the hon. gentleman seemed to think. What they would have to do was, to inquire whether these marbles were really so valuable to the public as they were represented to be, and then to ascertain what money the noble lord had expended in procuring and bringing them to this country. It would then remain for the House to decide upon the sum to be given to his lordship. Generally, he believed, there could be but one opinion upon this subject, and that there would be no opposition to the appointment of a committee.

Mr. *Gordon* thought it his duty in answer to the remark just made, that there could be but one opinion on the subject, to say, that in his judgment, the present distressed situation of the country did not call upon parliament to make a purchase of a set of marbles. However desirable these marbles might be for the promotion of the arts, it would be very impolitic and improper at this time to incur any unnecessary expenditure. He therefore wished the right hon. gentleman to postpone this measure till the country had been relieved from the burthens which now oppressed it.

Mr. *Tierney* said, that no man could feel more anxious than himself that these works of art should not be scattered over the country, or be suffered to leave it. If the object of the motion was to inquire whether lord Elgin had become possessed of them in consequence of his public functions, and what expenses he had incurred, he was ready to agree to a committee; but not that particular artists should be asked what they conceived to be the value of these marbles. He thought the committee should be instructed how they ought to conduct themselves. It had been stated that lord Elgin formerly applied to Mr. Perceval on this subject, who offered a specific sum of money, which his lordship refused. He did not see, therefore, why the offer should be repeated. He thought an inquiry should be instituted as to the extent of his expenditure in procuring these marbles. Part of them were brought over in ships of war, and consequently at the public expense. If it were merely intended to hold out encouragement to embassadors to enrich their country with works of arts, then the motion was creditable to the right hon. the chancellor of the exchequer; but if he meant that the noble lord, availing himself of his official character, should now call himself the possessor, he would not agree to the motion. He thought it improper, in the present situation of our finances, that the House should be invited to purchase them. The right hon. gentleman had said, it was very desirable to possess them. This might be very true, there were a great many things which he would wish to have, and he was sorry he had them not; but he was bound to consider his means, and the right hon. gentleman should do the same.

Mr. *C. Long* spoke in favour of the appointment of a committee. It would be to be regretted, if the public lost this opportunity of obtaining a collection more useful than any other that could be found for the improvement of the arts. If the House refused to purchase this collection of lord Elgin, it would be hard on his lordship to be prevented from disposing of it otherwise.

Mr. *Preston* opposed the motion, on the ground of the influence of example, and the distressed state of the country. Lord Elgin ought to have come boldly forward, and have made them a present to the country. He thought, that if ambassadors were encouraged to make these speculations, many might return home in the character of merchants. He could not consent to pay for the collection according to what might be called its value, but only as far as it was a compensation to an ambassador for his expenses in procuring it. He did not see that lord Elgin was bound by what the committee thought right.

Mr. *Brougham* was sorry that in the discharge of his duty he must object to the appointment of a committee. He participated, at the same time, in feeling with other hon. members that it was extremely desirable such a collection should be in the possession of this country. It was very rational that we should wish to indulge ourselves in this sort of gratification, but he was under the necessity of looking to the other side of the question. This country had not the money to spend. As a nation we found ourselves precisely in the situation of an individual who might see many things he would like to purchase, and which he might purchase too at a cheap price, but he could not indulge himself with the article, for upon asking himself the question he found that he had no money in his pocket. Perhaps this collection might cost about forty or fifty thousand pounds, but even if it would cost only ten or twelve thousand this was not the time to press expenses upon the public. This was a time when we were called upon to cut down expenses of every description. If it could be afforded, consideration was due to the present state of midshipmen, and also of half-pay officers, retiring upon what was not equal to their support, but he believed the only answer which could be returned was, that in the present state of the country, we were not able to afford them any further assistance; still if we could not give them bread we ought not to indulge ourselves in the purchase of stones. On these grounds he felt it his duty to object to the present motion, and should therefore conclude by moving the previous question.

Sir *John Newport* had not been able to satisfy his mind that these marbles had been acquired in that way that could authorize the nation to purchase them. He therefore should support the amendment.

The *Chancellor of the Exchequer* said, the committee to be appointed would of course consider the question of the expenses of the noble lord carefully, and see also whether they had been properly applied or not. He saw no good ground for taking up the subject at some other time. If the business could be adjourned, with a fair and full security for our retaining possession of this most valuable collection, it would certainly be preferable; but it would be very burthensome to lord Elgin to be debarred from selling it to any body else, while parliament thought fit to refuse to purchase it.

Mr. *Babington* thought the mode in which the collection had been acquired partook of the nature of spoliation. It was of the greatest importance to ascertain whether this collection had been procured by such means as were honourable to this country. We were at present looked at with much attention, and perhaps jealousy, by other nations; and many in a neighbouring country might rejoice to find us tripping. He hoped the committee would be careful in seeing that the whole transaction was consonant with national honour. If these remains of antiquity were not honourably acquired, he hoped we should have nothing to do with them.

Mr. *Croker* said, it was extremely desirable for the committee to inquire into the points mentioned by the hon. member. He would not vote for the committee, if he did not think it essential to ascertain that what had been done was compatible with the noble lord's and with the country's honour.

The previous question was put and negatived; after which the main question was agreed to, and a committee appointed.

HOUSE OF LORDS.

Monday, February 26.

PUNISHMENT OF THE PILLORY.] Earl *Stanhope* took an opportunity to address the House upon this subject. He observed, their lordships would recollect that in the last session of parliament, a bill had been brought up to them from the Commons respecting the abolition of the punishment of the pillory. It was then suggested by a noble and learned lord, and approved by the noble earl on the ministerial bench, that it would be very proper to submit the subject to the learned judges, in order that they might draw up a bill upon it. The case was generally stated to be a proper one, and that the judges should be directed to form into one bill all the laws relative to the punishment of the pillory, as on a former particular occasion all the laws that related to the penalty of death, were proposed to be included in one act. In the subject referred to, he thought it peculiarly proper to have called upon the judges to draw up an act of parliament for the House, so that all the laws upon the subject should be consolidated into one. Under that impression he had moved a resolution, that the learned judges should prepare and lay before the House a bill, to reduce into one act all the laws then in force, which prescribed the penalty of the pillory, or authorized the infliction thereof. He had inquired, and had not found that any such bill had been delivered. He was sure he should never speak of the learned judges of the land, save with the greatest respect. But when their lordships made an order, and when, as he learned from the votes of the Commons, the subject was now agitating there, he must be allowed to express his opinion, that it were better such a bill had been prepared by the judges, and submitted to that House, previous to a bill coming up again from the Commons on the same subject. He merely suggested the propriety of such a bill, without making any formal motion now upon the subject. It might, however, be proper to know, what had been done on the occasion, or whether such a bill had been framed. No doubt a sufficient reason would be assigned; but as the learned judges were then present, he thought it right to say this much, in order that their lordships might be informed if any mistake had occurred in the delivery of the notice, that it might be clearly known such an order was made, and that some hint might be given when it would be attended to. With respect to an opinion which had been given last year, that nothing could be more cruel than to heap additional trouble upon the judges, who were already borne down by the immense weight of business allotted to them, he had to observe, that he had more than once urged their lordships to have assessors of their own, for the transaction of such important business as that referred to. For instance, if one of the judges, a master in chancery, and a sound common-law lawyer, were to attend the House as its assessors, and to submit to them various important statutes, erroneously drawn up, for correction, or for reducing various laws into one act, upon a given subject, much more good would be done, in those respects, than had of late been even attempted.

CEYLON.] Lord *Holland*, asked whether it was intended to lay any further papers on the table respecting the war in Ceylon with the emperor of Candy? He observed, there was an account of the termination of the war, but nothing as to the motives which led to it; and when the result was looked at, which was nothing less than the subversion of a most ancient empire, and the exclusion of a most ancient dynasty, he thought some further information upon the subject ought to be laid before the House.

The Earl of *Liverpool* said, it was not the intention of his Majesty's servants to communicate any further information upon the subject; but it was open to the noble lord to move for whatever further papers he thought necessary.

HOUSE OF COMMONS.

Monday, February 26.

LIVERPOOL CANAL BILL.] Lord *Lascelles* moved the second reading of the above Bill. His lordship observed, that many objections were made to the measure, and, he believed, petitions were preparing against it; but, as those objections related principally to the raising of tolls, and some other matters of regulation, he conceived they could be removed in the committee. He should, therefore, move the second reading of the Bill, which, if delayed, would occasion much inconvenience to a number of persons who were now attending in town.

Sir *Robert Peel* did not mean to oppose the motion, as the noble lord seemed to suppose that the objections would be disposed of in the committee. He wished, however, to observe, that petitions would shortly be presented against it from Liverpool, and from several other places.

The bill was then read a second time, and ordered to be committed.

ACCOUNT OF MONEY RAISED BY POORS-RATES.] Mr. Addington presented to the House, pursuant to their order,

An ACCOUNT of all Money raised by Poors Rates, or other Rate or Rates, in the several Counties in England and Wales, in the year ending the 25th of March 1815;—showing, the Number of Parishes which have not made Returns, and also the Number of Parishes which have made Returns, under the Act 55 Geo. 3, c. 47, relative to the Expense and Maintenance of the Poor and Highways.

ENGLAND.

No. of Parishes or Places Deficient.	COUNTIES.	No. of Parishes or Places Returned.	AMOUNT of SUMS RAISED. £.	s.	d.
6	Bedford	134	69,464	6	3¾
31	Berkshire.........	192	125,710	0	4¼
223	Buckingham......	No Returns received.			
44	Cambridge	131	63,354	13	1½
57	Chestor	434	125,630	0	6¼
5	Cornwall	210	104,769	2	7¼
,,	Cumberland	221	60,732	19	0¼
7	Derby	310	109,423	12	7¼
34	Devon	440	241,793	15	1½
,,	Dorset	286	95,812	12	5¼
54	Durham	235	88,467	6	7½
3	Essex	412	280,623	14	5
35	Gloucester	364	165,768	1	11¾
,,	Hampshire	330	211,257	5	1¼
16	Hereford	243	81,182	1	5½
,,	Hertford	145	98,380	19	9¼
,,	Huntingdon	104	40,625	13	2
46	Kent	363	345,621	0	9½
3	Lancaster.........	449	383,217	3	10¼
2	Leicester	321	140,150	5	0
,,	Lincoln	756	226,997	18	2½
,,	Middlesex	213	642,468	1	2¼
5	Monmouth	144	37,730	17	6½
58	Norfolk	633	219,238	10	1
10	Northampton ...	323	152,161	11	5¾
15	Northumberland	493	91,983	9	4¾
8	Nottingham......	261	113,178	6	11
13	Oxford	266	126,543	13	10¼
,,	Rutland	55	18,653	2	2¼
2	Shropshire	245	113,221	13	3¼
,,	Stafford	281	171,763	17	0¾
19	Surrey	132	187,561	16	3¼
,,	Somerset	494	233,084	17	10½
,,	Suffolk	510	208,840	5	3
6	Sussex	304	270,328	8	2
,,	Warwick	249	189,787	1	0½
5	Wilts	331	171,571	5	0¾
2	Westmoreland...	106	23,809	18	11¾
13	Worcester	212	99,075	7	7½
46	Yorkshire.........	1,552	623,046	16	0¾
773	....	12,889			
	TOTAL OF ENGLAND		£. 6,753,331	11	9½

WALES.

No. of Parishes or Places Deficient.	COUNTIES.	No. of Parishes or Places Returned.	AMOUNT of SUMS RAISED. £.	s.	d.
2	Anglesea	72	12,234	2	7½
,,	Brecon	111	20,307	3	10
5	Cardigan	92	15,409	8	6
43	Carmarthen......	83	30,354	6	9¾
,,	Carnarvon	73	15,776	17	6
16	Denbigh	68	33,040	6	6½
6	Flint...............	38	25,173	12	1¼
,,	Glamorgan	175	39,317	7	9¾
,,	Merioneth	38	5,510	9	10¼
,,	Montgomery ...	73	38,826	12	5
,,	Pembroke.........	156	25,857	4	0¾
9	Radnor............	54	13,247	14	11½
81	....	1,033			
	TOTAL OF WALES......		£. 270,055	6	10½

ABSTRACT:

	£.	s.	d.
England	6,753,331	11	9½
Wales	270,055	6	10½
TOTAL	£. 7,023,386	18	8

George P. Brietzcke,

Appointed by Lord Viscount Sidmouth, his Majesty's Principal Secretary of State for the Home Department, to form an Abstract from the Returns relative to the Expense and Maintenance of the Poor in England, under the Act 55 Geo. 3, cap. 47.

PETITIONS AGAINST THE PROPERTY TAX.] Petitions against the property tax were presented from Selkirk, Newport in Cornwall, St. Mary Stratford Bow, St. Leonard Shoreditch, Uxbridge, Northampton, Bristol, Ward of Cornhill, Ward of Farringdon Without, St. Bride's Fleet-street, Warwick, Southwark, Ward of Walbrook, Bread-street Ward, Castle Baynard Ward, Ipswich, Launceston, Saint Saviour's Southwark, King's Lynn, Coleman-street Ward, Cromer, Norfolk, Haddington, Hampshire, Kimbolton, Aberdour Farming Society, Arundel, Lewes, Liverpool, Berwick upon Tweed, Sandwich, Annan, Westminster, Broad-street Ward, Norwich, St. Anne, Limehouse, Swansea, Cambridge, Ely, Doncaster, Northallerton, Cottingham, Devonshire, Ward of Farringdon Within, and Taunton. In consequence of the House being called over, the gallery was not opened till nearly seven o'clock. In the course of the evening,

Lord *Althorp* on presenting a petition from the county of Northampton against the property tax and the peace establishment, said, that although not passed unanimously, it was carried by a very large majority.

Mr. *Cartwright* stated that the minority was respectable, and that he could not support that part of the petition which related to the property tax.

Mr. *Hart Davis* presented a petition from Bristol, signed by above 4,000 inhabitants, but felt it his painful duty to declare that the sentiments contained in the petition did not accord with his own.

Mr. *Protheroe* presented a petition from the corporation of Bristol against the property tax, and declared that in his opinion the continuance of the property tax was a most judicious measure for the purpose of winding up the expenses of the war.

General *Gascoyne* presented a petition from Liverpool against the property tax. He said that no difference of opinion existed in the town with regard to the prayer of the petition. He fully coincided in those sentiments; the House was pledged to the discontinuance of the tax during peace, and he should oppose it as long as he had a seat in that House.

Mr. *Brougham* wished to state a fact which came within his own knowledge. All the signatures were procured in a few hours, on the supposition that the petition could not be presented after to day. Many parts of the country, he said, were labouring under the same mistake, imagining that this was a new tax, and that the standing orders would prevent the reception of any petitions on the subject of the income tax after to day. He was convinced this was a manœuvre to prevent the voice of the country being heard.

Lord *Compton* also stated that such an opinion existed in his county.

The *Chancellor of the Exchequer* took this opportunity of giving notice, that he meant to propose the income tax in the committee of ways and means on Wednesday, and hoped those members who had notices on the book would give way to him.

Mr. *Baring* said, that so far from that he would rather add another notice than remove the one now existing, in order to prevent the right hon. gentleman from running a race with the country. Such precipitation was most indecent. He declared he would oppose the measure in every stage, and keep it as long before the House as he could. He knew the anxiety of the country on this account to be very great. He wished hon. gentlemen would attend more to their constituents than to private meetings at the minister's house, thereby endeavouring to stifle their voice.

Sir *Charles Mordaunt* said a meeting had been called in his county; his constituents were anxious to have an opportunity of expressing their sentiments, and he therefore required delay.

Mr. *Wharton* said, that it was the intention of Beverly to petition if they were given time.

Mr. *Lyttelton* said, he had received intelligence from his constituents stating that they had delayed a requisition until the motion of the hon. member of Essex had been disposed of. If the income tax was thus hurried on, their object must necessarily be defeated.

Sir *Gilbert Heathcote* stated that a similar occurrence would take place in Rutlandshire.

Mr. *Wynn* stated the same fact with regard to the counties of Denbigh and Montgomery.

Mr. *Charles Dundas* observed, that Berkshire was very desirous of meeting, and that a requisition had been sent for the purpose. He trusted the chancellor of the exchequer would abandon his intention of being so precipitate.

The *Chancellor of the Exchequer* declared he had so long ago announced his intention respecting the property tax, that a full opportunity had been given of petitioning against it; and that he was persuaded the sense of the country at large was not adverse to its being continued for the period and under the modifications which he had proposed; he should therefore bring forward the discussion on Friday next.

Mr. *Tierney* said, that the right hon. gentleman seemed to take it for granted that the estimates he intended to propose would be agreed to by the House; but he trusted gentlemen would remember, that if they were not carried, the property tax would not be wanted.

The *Chancellor of the Exchequer* observed, that he should proceed in the usual course of beginning with the estimates first, and proceeding to the ways and means afterwards.

Mr. *Babington* was in favour of delay. His constituents intended to petition, but had hitherto been prevented by the indisposition of the mayor, who was incapable of attending public business.

Mr. *Ponsonby* expressed his surprise that the right hon. gentleman would not accommodate himself to the wishes of the country. Did he conceive that the opposition to this tax was artificial or fictitious, or that it was excited by a party spirit?

Mr. *Gore Langton* said, his majesty's ministers wished to prevent the voice of the people from being heard, which he considered most unfair.

Sir *Francis Burdett* said, he held in his hand a petition which was unanimously agreed to at a very numerous meeting of the inhabitants of Westminster, and signed by a certain number of them. The petitioners complained, that it was the declared intention of ministers to propose the continuance of the income tax, in violation of their most solemn pledges to the contrary. Against this tax they protested as an intolerable grievance, and also against the maintenance of a large military establishment, which in their judgment, as well as his own, was utterly incompatible with the liberties of the country.

Sir *James Shaw* presented a petition against the income tax from the inhabitants of the ward of Broad Street, who, he said, had supported his Majesty's government for the last twenty-five years, but were now unanimous in their opposition to this proposed tax.

Mr. *W. Smith* presented a petition from the city of Norwich to the same effect, which, he said, expressed the sentiments of the great body of the inhabitants of all ranks.

Lord *Francis Osborne* presented four petitions from the land-owners and occupiers in the Isle of Ely and from other parts of Cambridgeshire setting forth the distresses under which they laboured, and praying against the continuance of the war taxes generally, and particularly against a standing army in the time of peace.

Lord *Milton* presented several petitions against the income tax from Doncaster, North Allerton, North and South Cave, and the parish of Cottingham, all in the county of York.

Sir *Thomas Acland* said, he held in his hand not less than twenty-six petitions, the object of which he should endeavour to state generally. The first he should notice was one signed by 700 occupiers and owners of land in North Devon, complaining of the distresses under which their agriculture laboured, of the heavy burthens imposed upon the farmer by county rates, poor-rates, and tithes, and particularly by the property-tax, which they estimated at seventeen and a half per cent. on the land. They stated, that many of them, in order to meet these payments had been under the necessity of selling their young cattle to great disadvantage, and some of them were now in confinement for debt, from inability to pay. This petition also complained of the severity of the salt tax. Another petition which he held in his hand was from the yeomanry of the district of Tiverton, once an opulent body of men, complaining of the property tax, and setting forth the great increase of poor-rates, in consequence of the distresses of the agricultural labourers. The petitioners stated their wish, that if the income tax was still deemed necessary, it should undergo some modification, and that, if possible, the same should be the case with the assessed taxes. The hon. baronet proceeded to observe, that from the best attention he had been able to give the petitions, some of them were for the unqualified removal of the income tax; others for some modification of it should it still be deemed necessary.

The first petition presented by the hon. baronet was then brought up and read by the clerk, who was proceeding merely to read the titles of others, when

Mr. *Tierney* interposed, observing, that he thought all of them should be read. All they knew at present from them was, that, to use the words of the noble lord opposite, there was a great degree of ignorant impatience for relief from taxation [a laugh, and cries of hear, hear]; but it was proper that the petitioners should be heard for themselves,

This was assented to, and the whole of the 26 petitions were read. When the clerk had got nearly half through them;

Mr. *Cartwright* rose, and put it to the right hon. gentleman opposite, whether it was necessary that the time of the House should be occupied at such length, particularly when, as far as respected any information which the House might derive from hearing so many petitions of nearly the same tenor, it was quite useless?

Mr. *Tierney* replied, that he had wished them to be read for the express purpose of calling the attention of the House to them. It was the least thing the House could do to listen to the prayers of the people; but if gentlemen chose to pay no attention at all to the reading of the petitions he could not help it.

When the petitions had been read,

Mr. *Ponsonby* observed, that possibly the hon. members opposite might now know something of the contents of the petitions, for their better information he would state that twenty out of the twenty-six were against the property-tax, the rest complaining generally of distress and heavy taxation.

Sir *T. Acland*, in reply to the right hon. gentleman's remark, felt himself called upon to state, that all the petitions were put into his hands that afternoon, and that notwithstanding the shortness of the time, he had read them over as carefully as he could. The impression on his mind was, that they did not generally pray for the unqualified repeal of the income tax, in the fair sense of the word; otherwise why did many of them call for its modification? The right hon. gentleman would allow that a considerable noise prevailed in the House during the time of their being read, which might have prevented him from accurately hearing their purport; but if the right hon. gentleman took the trouble to read them over as he (Sir T. A.) had done, he would find that they were not generally against the income tax,—probably not above half of them.

Mr. *Ponsonby* would not pretend to put the accuracy of his ears in competition with the accuracy of the hon. baronet's eyes, the hon. baronet having stated that he had read the petitions, and therefore ought to know something of their contents: but he nevertheless maintained the accuracy of his original statement, that twenty out of the twenty-six petitions contained prayers against the property tax; in some of them that prayer was mixed up with other matters, but twenty contained such prayer, or he had lost his hearing.

Sir *T. Acland* again rose and persevered in speaking, although there were cries of "spoke, spoke!"

The *Speaker* stated that there was no question before the House.

Mr. *Tierney* added, that the hon. baronet could not be allowed to persevere, as there really was no question before the House; but as there was a dispute about the meaning of these petitions, perhaps the better way would be to read them over again (a laugh).

Lord *Folkestone* could not but express his astonishment at the way in which petitions on this most important question had been brought before the House, especially where one member happened to have a considerable number to present. This was the first time that he had seen twenty or six and twenty petitions introduced, as they had been that night, and on a question of such importance that was agitating the country from one end to the other. To him such a manner was extremely unsatisfactory. If any member chose to adopt such course towards his constituents, that was his business; but he should be sorry to see the day arrive when the petitions of the people of England were to be regularly received in such way. If petitions by the score and hundred were to be smuggled into the House in such manner, what probability was there of their having a fair chance of effecting their object? According to such system, when one or two petitions were presented, they must be read; but when they poured in by twenties and hundreds, a proof of how much more importance they were, then they were to be smuggled into the House without being read at all. According to such practice, neither the House, the public, nor the petitioners, would know what became of the petitions. There was another practice of modern date, of which he must also complain, namely, that of only printing in their votes the names and prayers of such petitions as were presented, instead of the leading features of each petition. In future he hoped this practice would be amended, and particularly that all members would refrain from presenting petitions in the mass; he trusted that they would separately notice and present them.

Mr. *Baring* presented a petition from Taunton, against the property-tax. At the same time he expressed the hope that members, who might have petitions to present, would impartially notice their contents, and not give to such contents the colouring of their own impressions.

Mr. *Robinson* supposed that the latter remark was levelled against his hon. friend, upon whose petitions so much had been already said. He must observe, and the House would probably entertain the same opinion, that the assertion, that the hon. baronet had given to his petitions the colouring of his own feelings, was altogether unjustified by the contents of the petitions themselves, which, when read, were found completely to bear out the remarks made on offering them to the House. He had listened during the reading of the petitions with the greatest attention, and would maintain that a statement more correct in all particulars had never been given in the House than that which had fallen from the hon. baronet.

Mr. *Baring* censured the mode in which the hon. baronet had endeavoured to dismiss twenty-six petitions of such importance; certain it was, that if the hon. baronet had felt upon the subject of the property-tax as strongly as those who made him their organ, his conduct would have been very different. It was singular also that the petition which the hon. baronet had been most anxious should be read, said little or nothing upon the theme of the abolition of the property-tax, which had filled nearly all the others.

Mr. *Wilberforce*, although not unprepared to agree with what had fallen from a noble lord, as to the propriety of printing the petitions more fully in their votes, could not but remark that he had very recently observed the practice pursued by an hon. baronet in presenting twenty-six petitions, pursued a short time since by one of their oldest members, who had many petitions to present, he presenting the whole of them at the same time.

Mr. *Baring* said, that he had been induced to remark on the way in which the petitions had been presented by the hon. baronet, in consequence of observing the decided attempt of his Majesty's ministers to bring forward the subject to which those petitions referred, before the sentiments of the country at large could be expressed upon it. Under such circumstances, it was natural to view with jealousy any attempt to slur over the business before them.

Mr. *Lambton* said, that the chancellor of the exchequer having informed the House that on Friday next, in a committee of ways and means, he should bring forward the subject of the property-tax, he should to-morrow move for a call of the House on that day, and on every day during the discussion of that great question.

The petitions were ordered to lie on table.

Mr. Goulburn presented to the House, pursuant to their orders, an account of all offices, civil and military, under the Crown, in the island of St. Lucia, with the salaries and emoluments of the same; and also of all offices in the said colony filled by appointment from any authority other than the Crown.—An account of all offices, civil and military, under the Crown, in the island of Tobago, with the salaries and emoluments of the same; and also of all offices in the said colony filled by appointment from any authority other than the Crown.—An account of all offices, civil and military, under the Crown, in the colony of Demerara and Essequibo, with the salaries and emoluments of the same; and also of all offices in the said colony filled by appointment from any authority other than the Crown.—An account of all offices, civil and military, under the Crown, in the colony of Berbice, with the salaries and emoluments of the same; and also of all offices in the said colony filled by appointment from any authority other than the Crown.—An account of all offices, civil and military, under the Crown, in the Isle of France, with the salaries and emoluments of the same; and also of all offices in the said colony filled by appointment from any authority other than the Crown.—An account of all offices, civil and military, under the Crown, in the island of Malta, with the salaries and emoluments of the same.—An account of all offices in the islands of Malta and Gozo filled by appointment from any authority other than the Crown.

ABSTRACT OF THE ARMY ESTIMATES FOR THE YEAR 1816.] The following is an Abstract of the Estimates of the Army Services for the Year 1816, which was presented to the House on the 19th instant, by lord viscount Palmerston, secretary at war:

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ABSTRACT of the ESTIMATES of ARMY SERVICES, for the Year 1816.

	NUMBERS.	GREAT BRITAIN.			IRELAND.			TOTAL.		
		£.	s.	d.	£.	s.	d.	£.	s.	d.
1. Land Forces, including the Corps intended to be reduced	111,756	3,708,963	11	6	993,647	19	5	4,702,611	10	11
2. Regiments stationed in France	34,031	1,234,596	13	6	-	-	-	1,234,596	13	6
3. Regiments in the East India Company's Territories	28,491	906,604	19	2	-	-	-	906,604	19	2
4. Troops and Companies for Recruiting ditto	348	20,835	5	5	-	-	-	20,835	5	5
5. Embodied Militia	- -	170,000	0	0	380,000	0	0	550,000	0	0
6. Pay of General Officers	- -	180,615	10	4	2,111	10	10	182,727	1	2
7. Staff and Garrisons	- -	234,794	16	0	83,958	12	6	318,753	8	6
8. Full Pay for Supernumerary Officers	- -	107,155	6	8	7,146	19	11	114,302	6	7
9. Public Departments	- -	174,816	6	10	11,814	17	8	186,631	4	6
10. Exchequer Fees, Irish Poundages, &c.	- -	100,000	0	0	27,863	2	0	127,863	2	0
11. Half-pay and Military Allowances	- -	415,500	0	0	65,068	2	11	480,568	2	11
12. In-Pensioners of Chelsea and Kilmainham Hospitals	- -	40,761	11	7	14,334	0	0	55,095	11	7
13. Out-Pensioners of ditto	- -	721,406	13	11	133,814	1	1	855,220	15	0
14. Widows Pensions	- -	76,679	4	10	17,220	0	10	93,899	5	8
15. Volunteer Corps	- -	72,365	0	0	50,621	18	2	122,986	18	2
16. Local Militia	- -	100,000	0	0	-	-	-	100,000	0	0
17. Foreign Corps; for various periods in 1816	21,401	370,669	18	5	-	-	-	370,669	18	5
18. Royal Military College	- -	33,819	17	2	-	-	-	33,819	17	2
19. Royal Military Asylum	- -	39,185	17	2	-	-	-	39,185	17	2
20. Retired Chaplains, &c.	- -	15,896	2	0	1,654	17	11	17,550	19	11
21. Medicines and Hospital Expenses	- -	40,000	0	0	20,266	12	4	60,266	12	4
22. Compassionate List, and Bounty Warrants	- -	64,424	0	3	-	-	-	64,424	0	3
23. Commissariat Department (Ireland)	- -	-	-	-	219,000	0	0	219,000	0	0
24. Barrack Department (Ireland)	- -	-	-	-	213,000	0	0	213,000	0	0
25. Superannuation Allowances	- -	13,057	19	6	4,906	1	2	17,964	0	8
26. Officers attached to the Portuguese Army	- -	35,000	0	0	-	-	-	35,000	0	0
	196,027	8,877,148	14	3	2,246,428	16	9	11,123,577	11	0
DEDUCT, The Regiments stationed in France	34,031	1,234,596	13	6	-	-	-	1,234,596	13	6
	161,996	7,642,552	0	9	2,246,428	16	9	9,888,980	17	6
DEDUCT further, The Regiments in the East India Company's Territories	28,491	906,604	19	2	-	-	-	906,604	19	2
REMAINS	133,505	6,735,947	1	7	2,246,428	16	9	8,982,375	18	4

War Office,
19th February 1816.

PALMERSTON.

ARMY ESTIMATES.] The Chancellor of the Exchequer having moved the order of the day for the House to resolve itself into a committee of the whole House, to consider further of the Supply to be granted to his Majesty, and the same being read, he next moved, "That the several Estimates relating to Army Services, which were presented to the House upon Monday last by lord viscount Palmerston, and upon Thursday last by Mr. Peel, be referred to the said committee. The latter question having been put,

Lord *John Russell* said, that he came down to the House with the intention of opposing the motion; but if he had not previously made up his mind, the petitions that day laid upon the table, would have rendered it an imperious duty on his part to give a decided opposition to any proceeding which should warrant even the consideration of the enormous estimates of which the House had already heard too much. Those petitions proved beyond contradiction, that the people were with haste congregating in all parts of the country, in order to compel ministers to listen to their sighs under their afflictions, and to their groans under the burthens that were laid upon them; burthens heavier than in any previous time of peace; heavier even than in many former wars in which we had been engaged. Ministers, on the contrary, were endeavouring to shut their ears against the cries of the people, and were running a most unbecoming race, in order to impose the grievous weight before the nation could have time to express its resolution not to sustain it. The bare proposal that a standing army of 150,000 men should be supported, must alarm every friend to his country and its constitution; not that he was impressed with any fear so ridiculous, as that a standing army unaided could ever effectuate what had been accomplished in some of the states of the continent; but the greatest danger was to be found in the influence of the Crown, which, by daily increase, threatened to erase even the vestiges that departing liberty had left behind her. How much that influence would be augmented by a great standing army, required no illustration. A time might arrive, and that not far distant, when the House of Commons, for its own security, as well as for the security of the Crown, would find it necessary to keep up an immense regular force; when that event occurred, the people must bid farewell to that freedom which they had so long and so anxiously preserved. Among the many reasons that had been urged for the enormous peace establishment, the most absurd appeared to him to be the assertion, that it was necessary for our own security, in order to avoid the speedy renewal of hostilities. The House could not fail to recollect that, for the last twelve years, ministers had been soothing the impatient country by stating, that the war was continued to prevent the necessity of an armed peace, and yet now they ventured to tell the people, that, after all their sacrifices, they had gained nothing; for still an armed peace was all that had been acquired. Thus then the case stood—we had undertaken a war to procure peace and a diminution of taxation, and we had concluded a war only to perpetuate the burthens for which war had been the only excuse. At the peace of Amiens it would not be forgotten that the power of France was infinitely more dangerous than at present. Switzerland bowed to her yoke, and Italy acknowledged her sovereignty; yet the chancellor of the exchequer of that day, when the danger was more imminent, had proposed a much more economical establishment, as fully adequate for our protection. The noble lord on the opposite side might endeavour to show that we were now in equal peril from our neighbours; but, supposing the assertion true, what did it prove, but that, under his administration, all the valuable lives destroyed, and all the immense treasures lavished in the continuance of the war, had been wasted? Honour might have been gained by our armies, but shame had been brought upon the House, and calamity upon the country. From the close of the American war to the opening of that of the French revolution, the peace establishment of this nation had been too much extended, and the admitted consequence had been, that our resources having been exhausted, a sanguinary contest was prolonged by the deficiency of means to bring it to an early termination; and while adverting to the instruction history would afford, he could not avoid noticing a speech of his present majesty, soon after he ascended the throne, at the termination of a war, in which he said that his first and most ardent wish, the attainment of peace, had been accomplished; his second, the alleviation of the burthens of his subjects, yet remained to be fulfilled;

but still it was necessary to maintain a respectable navy, the true bulwark of the island. The language of the minister in our own day was far different; it held out, indeed, a vain promise of retrenchment, while Great Britain was converted from a naval into a military nation, and, instead of continuing a mighty island, she was to be changed into a petty continental state. The history of the country showed, that the invariable object on the arrival of peace was, to reduce the military establishment as low as possible. Even at the peace of Ryswick, when it was said that the Bourbons meditated an attack upon the independence of England, that the succession was to be disturbed, and that she was again to be placed at the mercy of the House of Stuart; even then, the parliament would not agree to the proposal of a standing army, holding it to be of paramount importance to reduce it as low as possible, and to trust the defence of our liberties to the operation of the constitution, rather than to confide it to those who had an interest in its overthrow. This brought him to the question of the propriety of maintaining in France a British force to repress revolutionary movements. Whether even that were a fit object, might be a matter of doubt; but who could avoid perceiving to what a purpose this army might be applied? It might happen that evil counsellors should persuade a king of France to trample on his subjects, and British soldiers might be engaged as the instruments of detested tyranny. Already in Spain the prediction had been nearly verified. Sir William Blackstone had held, that the army only existed for the protection of the people; and after having been employed successfully in France in quelling the rising energies of a great people, our soldiers on their return would be well qualified to act the same disgusting scenes in England—perhaps an improvement upon the emissaries of Fouché under the régime of Buonaparté. With regard to the mode in which they were to be supported, no friend of his country could fail to wish that they should be paid under the control of parliament, and that the money now intended to be devoted to them might be placed in the British treasury. To the 25,000 destined for Ireland, he objected with equal firmness; if they were indeed required, his regret would be augmented, and here was a real danger to be apprehended; for nothing could be more objectionable than the mixing up of soldiery with the private and civil affairs of a country; the constitutional authorities were thus superseded, and slavery engrafted on the very stock of the nation. For these reasons, he should strenuously resist the estimates about to be proposed; and, should he have the good fortune to succeed, he would afterwards propose an address to the crown, praying that more economical propositions should be made to the House, that the people might find that parliament was not deaf to their loud complaints, and that if measures of late years pursued had prevented complete retrenchment, yet that at least an anxiety prevailed to alleviate their burthens.

Mr. *Frankland Lewis* expressed his anxiety to embrace every opportunity of mitigating—he would not say of resisting—the estimates proposed by his majesty's government. In spite of the strong feeling which he entertained of his inadequacy to address the House, he was sustained by his stronger sense of the duty imposed on every honourable member to exercise, and to declare sincerely and independently his own judgment on this, which of all the important questions which had been agitated in parliament during the three short years that he had had the honour of a seat there, appeared to him to be of infinitely the greatest magnitude. Whenever the proposition of a large standing army had been made in that House, it had been resisted on a principle wholly unconnected with any party feeling—it had been resisted by a body of men acting independently of any administration—he meant the country gentlemen of England; who had invariably united in their hostility to a measure of that nature. As for his own motives on this particular occasion, he could solemnly assure the House, that he was wholly uninfluenced by any personal feeling towards any individual whatever. In comparison with such a question as that before them, he cared not who was in or who was out of power; but he called on the country at large to think and to act for themselves—to look at the extent of the means they possessed, and at the extent of the danger to be apprehended, and to decide on the establishment that was advisable with reference to both those considerations. Without desiring the House to go far back to precedents, without referring them to the sterner periods of British history, he thought it might do no harm to remind them of one instance of the inflexible manner in which parliament formerly discharged its duty on this subject. He alluded to their conduct towards king William,—that sovereign who had been the seal and the confirmation of our liberties—from whom nevertheless the parliament of his time tore those Dutch guards who had been his companions in all his victories [Hear, hear!]. But without going so far back for examples of the conduct of the country gentlemen in parliament, he would refer to a period of between 30 and 40 years ago, when Mr. Pitt, with all his eloquence, with the force of his government, and with a case incomparably stronger than that of the present time, attempted to press the expediency of expending 400,000*l.* of the public money in fortifications. What was the event? It was not Mr. Fox or his party by whom the proposition was effectually resisted. It was by the country gentlemen of England, headed by Mr. Bastard, then member for Devonshire. The numbers on the division respecting it being equal, Mr. Cornwall, the Speaker, gave that casting vote which secured the country from the danger with which it had been threatened.* The same spirit of liberty, the same love for their country and for its constitution would, he trusted, animate the country gentlemen of the present day. In his opinion the estimates proposed by his majesty's government were founded on a perfectly false view of our means, and of our danger. What were our means? the interest of the national debt was 40 millions; from this we could not relieve ourselves. It was proposed to vote a peace establishment of nearly 21 millions. To pay these conjoint sums the annual peace taxes must exceed 60 millions. If the income tax had any one good quality, it was, that it afforded the opportunity of estimating the national property. Deducting from the returns all that was derived, as by the professional man, from the mere employment of time, or as by the farmer from mere personal labour, it would appear that the revenue actually proceeding from the land and stock of the country, did not exceed 130 or at most 140 millions. When it thus appeared, that even in time of peace the country was called upon by the state for half its revenue, that there was danger of its soon arriving at the end of its resources, let the House consider what must happen should we unfortunately be plunged into another war. Last year the right honourable the chancellor of the exchequer, as an apology for touching that sacred deposit the sinking fund, had declared, that taxation had found its limits. It appeared, then, that the expense of our peace establishment was nearly equal to that which under any circumstances the country could defray. How was this situation of things compatible with that high tone which it behoved the country to maintain, and which could only be maintained by that economy in peace which would afford us the means of waging war with success? [Hear, hear!] These considerations pressed the more nearly, when the House looked at the mass of petitions on their table. He verily believed that the distresses of the people at the present moment were of a magnitude not sufficiently appreciated [Hear, hear!] And in what consisted the danger which required this immense peace establishment? We were, as far as the assurances of ministers went, confirmed in our alliances, and being thus bound cordially together, there was less danger of this union being dissevered from jealousy than there was of any alliance ever made in Europe, of which England formed a part. Where, then, was the need of this establishment? As the army of France was destroyed, there was surely no military danger to be apprehended on her account. If we kept up men at Cambray and Condé it was perfectly needless to keep them at Colchester and Chelmsford; in short, if our army was to be kept in France, we did not want it here. The same might be said respecting a large naval establishment; it was not required. Neither France nor Spain had any navies at all. As to our troops for foreign stations, they appeared large beyond all possible necessity. There was to be 11,000 men for Gibraltar; but there was no reason why a higher number of men were wanted for the Mediterranean now than was necessary in 1791, when the establishment was between 4000 and 5000 men. In the Ionian islands there were to be 3,500. He would call upon the House to consider the nature, terms, and principles of that acquisition, in order to see what gronnds there were for any danger arising in those islands. It could not be from Russia, or from Austria; for it was by the concurrence of those two powers that we took possession of them. It was surely not to protect ourselves against the inhabitants; for they conceived that our coming was from a disposition to deliver them from the thraldom under which they had previously laboured. He must therefore think that 12 or 1500 men would be a number fully adequate for those possessions. The same might be said of Batavia and Ceylon, and even of India itself, where, if we were anxious to find an enemy, we had to seek him on the frontiers of Napaul or Thibet. He therefore thought that all our foreign establishments were too large; and he was sure the House would think that 14,000 men for the West Indies was out of all proportion. In 1791 the establishment for those colonies was not more than 2000, and surely they were even more safe now than at that period, or than they ever were while the chain of the French colonies remained unbroken. About 4000 men would, in his opinion, be amply sufficient for them. Another important subject was Canada, which, he believed, as far as frontier went, was stronger rather than weaker than it was before; for the possession of Upper Canada materially strengthened Quebec. There was a force of Canadian militia, so excellently disciplined, that full reliance might be placed on it, as to its assistance in case of danger. Respecting Ireland, it was a melancholy subject; his idea was, that there should be a specific inquiry into the real state of that country, for we only know that there is a great degree of local disturbance about tithes; but there was no symptom of rebellion against the government. There could therefore be nothing to occasion the continual employment there of 25,000 men, except to assist the police, and their aid was not grounded on any positive or actual necessity. In referring to the unhappy state of Ireland, it was impossible to refrain from lamenting the course which England had heretofore pursued, and was still pursuing towards her. Every application had been resorted to, to suppress the consequences of the evil, but none to remove its cause. He would not indeed, in referring to this painful topic, call on them to repeal at once the whole of their accumulated system, but he trusted that a sufficient inducement appeared on the face of the question, to impress in the proper quarter the necessity of resorting, as soon as it was possible, to the diffusion of a better system in that country. As to England, the military establishment was also extraordinary, and the motive for its existence worse. We were now to depart from the old system of collecting our revenue, and to employ a military force against smugglers. The cutters heretofore employed by the customs and excise departments were to be suppressed, and the navy vessels to be employed in their place. He was old-fashioned enough to object to this sort of arrangement on a variety of grounds—he preferred the King's forces to be in an auxiliary state to the customs, and not their principal; besides, the alteration would lead to the bribery and debauchery of the soldiers—a change most fatal to their character and discipline, and yet one necessarily arising out of the new habit into which they would be thrown. But even if a case of danger could be made out, he thought we had lost sight of maintaining the best species of force. The militia furnished the most eligible defence for the country, and, with an auxiliary force of twelve or fourteen thousand regulars, it would be quite sufficient for all the duties which the army would have to perform. This, he conceived, was a much better mode of viewing the subject than that which his majesty's ministers had adopted. He could not understand why they proposed so large an establishment, and least of all, why they intended to keep so large a proportion of the local militia embodied. He should have thought it better to have cut off that branch of our expenditure which the present situation of the country rendered quite unnecessary.

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* See New Parliamentary History, vol. 25, p. 1096.

Mr. *Yorke* said, he conceived it would have been better, more regular, and convenient, to take up the debate on the whole estimates when they were in a committee. He was glad to find, however, that an opportunity had at last been offered to go into the subject in some way or other. The hon. gentleman who had just sat down had expressed his sentiments in a most liberal, manly, and proper manner; and he was not without hopes, knowing the excellence of his understanding, and the uprightness of his mind, that, before the debate was concluded, his opinions would be considerably shaken. He would leave it to gentlemen more conversant with the subject to enter into the various details of the establishment now proposed; he apprehended it was not the question, whether we were to have a regular standing army or not, but whether the establishment was greater than ought to be voted for the present year? The enormous extent and wealth of the British empire rendered it indispensably necessary that we should have some standing army, if we meant to preserve the blessings that had been handed down to us by our ancestors. Such had been the practice of the country ever since the Revolution, at which time a standing army was first established, and had continued to the present time. He therefore apprehended that there could be no possible objection to the practice. Nobody would be more ready than himself to admit, that a legal and constitutional jealousy ought to be exercised on this subject, as far as related to a standing army being under the control of the crown; but the amount of the jealousy ought not to go beyond the proportion of the amount of the army. Nobody was more anxious than himself that the standing army should be under the civil government, and especially subject to the control of parliament. The ancient jealousy against a standing army, it ought to be recollected, was against such a force being maintained in these realms, and not so much from disapprobation of that which might be kept up in our foreign possessions. This was expressed in the bill of rights, as it was in the mutiny bill founded on the bill of rights. He approved of the practice which had been introduced in modern times of bringing the army kept up in our foreign possessions under the control of parliament, as well as that maintained within these realms. The increase of men which the present peace establishment required, was small, compared with the increased greatness of the country. When it was considered how much it had increased in every way —in population, in wealth—[Hear, hear!] He wished to know if those who cried "Hear!" were of opinion there was no wealth in the country. He would not interrupt his argument to go into that question now, but he saw an hon. gentleman opposite, who knew what wealth was, and he did not expect to hear from him that there was any scarcity of real wealth in the country. One objection which had been made to the force it was proposed to keep up was that it would be dangerous to the liberties of the country. Now when the state of the militia was looked at, and when all the circumstances of the country were fairly taken into consideration, he would put it to the common sense of the House, and of the nation, if it were not a mere chimera to talk of jealousy of the army, because it was to be eight or nine thousand men stronger than it had been 26 years ago, on a former peace establishment. With respect to the evils which had been heretofore experienced in this country from a standing army, it would be necessary to say a few words. The only instance to be found in our history in which the Crown had attempted to make use of a standing army against the rights of the people, was that furnished by James 2d. He endeavoured to use the standing army to the subversion of constitutional liberty; but with what success? The result was this—the army immediately went to the right about, and declared for the constitution and the people;—it hurled the king from his throne, and compelled his ministers to fly the country. If such was formerly the conduct of a British army, what was there in the conduct of the army of the present day, or in the character of its officers, that ought to make us suspicious that our liberties are at all in danger from them? [Here it was said, on the opposite side of the House, that it had not been intended to cast any reflection on those who at present composed our army.] It was said no reflection was meant on the present army—why, then, the reasoning they had heard was not applicable to the situation of the country at the present day. It could only be brought to bear on the abstract question; it could not affect a temporary arrangement; and the force to be kept up for the present year, he contended was not to be regarded as the permanent peace establishment. The times were changed—the doctrines might have been good formerly, but did not apply now.—He should now proceed to consider the expense which the arrangement in question would throw upon the country. Was it meant to be asserted that the army caused the increased charge of the present, over all former peace establishments? He would maintain, that if the whole army were disbanded to-morrow, the officers turned adrift, and the English grenadiers made scavengers and dustmen of, the necessary expenses entailed upon us, by establishments which have been for some years going on, partly by charitable institutions, by half-pay, &c. would exceed the whole charge of the army during the last peace. Was the situation of the country like what it was when Mr.

Fox brought forward his peace establishment? He wished the House to look at the half-pay, the allowances, the gratuities, and the charitable institutions connected with the army, which had nothing to do with its present effective strength, and it would be seen from the estimates, that these created a charge of nearly two millions, which would have covered the total expense of the army in 1791. The pay of the soldiery had been doubled since that period, and the number of men necessary to do the garrison duty, to guard our military establishments and dock yards, and to protect the subject, must exceed that which was necessary on any former day. On the face of the present estimates, a variety of items would be found, which were not formerly included in similar documents. These charges were then paid, he did not know how, but they were not thus brought forward. He would say, under the circumstances he had described, no rational man could be of opinion, that the force which had formerly been kept up would now be sufficient. He would defy the gentlemen opposite, even in their present situations, to frame any thing like a satisfactory plan for carrying on the public service with a force like that which had been maintained in 1791; and if they were to come over to the ministerial side of the House, he was sure they would at once see that it was impossible. The history of the country proved our former peace establishments to have been insufficient. He thought to these it owed, if not some of its wars (which, however, he believed it did), certainly many of the difficulties with which we had had to contend, and many of the reverses and disappointments which had been experienced. At the commencement of the war with France we were positively in danger from our peace establishment, not having been calculated on a scale suitable to the defence of the country. In the year 1744, when the war broke out between this country and France, (though as we were then at war with Spain we might be considered to have been partly prepared for it), a French fleet of twenty sail of the line entered the Channel, and cast anchor at Dungeness. At that time, 42,000 men under marshal Saxe were ready to be transported to our shores, and we had, from the best information he had been able to obtain, but 18,000 men in arms to oppose them. In 1779, when we were engaged in the American war, we were in imminent danger when hostilities recommenced between this country and France. A few years ago, when all Europe was under the control of Buonaparté, who could have foreseen that the allies of England would so soon have been in possession of Paris? From this he wished it to be considered, that we ought to rest content with being prepared for that which it was probable would occur; it was necessary that our defensive preparations should be commensurate with the great interests we had at stake, thereby leaving nothing to hazard. He was anxious that the force kept up should not be larger than was really necessary. That which it was now proposed to maintain was, however, not the peace establishment; it was the force which peculiar circumstances made it necessary to maintain in the first year after the termination of the war.—The right hon. gentleman then proceeded to show that many of the charges to be met in the present year were of a temporary nature. He defended the policy of keeping up an army in France, and said that parliament had sanctioned the measure by an Address. He contended, that the difference between the expense of the present arrangement, and that of the peace establishment proposed by Mr. Fox in 1784, arose partly out of the different character of the two wars. In the American war England lost thirteen colonies, the island of Minorca, the Floridas, and other territories; in the last we had obtained Malta, Demarara, Trinidad, the Cape, and many other possessions. The smallness of the former peace establishment was caused by the losses which the country had sustained; and the largeness of the army called for in the present year partly arose from the advantages we had gained. Gentlemen said, that we were not in a situation to pay such an army as was necessary for the defence of our possessions; but what was the amount of Mr. Fox's establishment? For the navy 4,500,000*l.* were voted; for the army, 4,080,000*l.*; for the ordnance, 120,000*l.* These several items, with others, included under the head of miscellaneous services, made a total of about 12,000,000*l.*; and new taxes, to the amount of 900,000*l.* were imposed on the country. It was now proposed, however, instead of raising new taxes, to reduce the present, so that eight million of taxes would be taken off. And then, with respect to the number of forces—Mr. Fox's estimate for Great Britain was 17,500, for Ireland 15,500, for the plantations 12,000, the East Indies 6,000; making a total of 51,000 men. From the enormous augmentation of our possessions, our present establishment was not too great; and the fair consideration of Mr. Fox's establishment was, that 59 or 60,000 men ought to be added to it. All things now were more than doubled, and we should not only take an amount of force equal to our temporary demands, but also consider the present rates of expense. He believed it would be found, that if there were to be such a peace establishment as Mr. Fox proposed thirty years ago, it would rather exceed what was submitted to the House.—He would then refer to a variety of articles which did not relate to the maintenance of the army, but had grown out of the circumstances of the war, and which the country must pay, whether it kept up any army or not. The estimate for the out-pensioners of Chelsea and Kilmainham hospitals amounted to 855,000*l.*, widows pensions 93,000*l.*, military asylum 39,000*l.*, military college 33,000*l.*, retired chaplains, &c. 17,000*l.*; which, with various other items, made a total of 3,229,000*l.* independent of the army. Numbers knew not what peace was but by history. No doubt he wished to see this military spirit diminished; but would it be safe, under all circumstances, for us greatly to reduce our military establishment? There were various reasons to make us pause on such a proposition, when we considered the military disposition of Europe, and looked fairly at North and South America. Undoubtedly there were still black spots in the political horizon, which rendered it necessary that we should keep up the proposed military force.

Mr. *Brougham* rose, to express his astonishment and indignation at the sentiments contained in the speech of the right hon. gentleman who had just sat down, at the language in which those sentiments had been uttered, at the cool, calm tone in which he had laid down principles unknown to the purity of our fathers, and repugnant to the spirit of the constitution. The right hon. gentleman, indeed, had professed to speak only for himself—to deliver only his individual opinions—to make no one but himself answerable for what he said; but he nevertheless must consider the right hon. gentleman's speech as a ministerial exposition of principles; not only from the part of the House from which the right hon. gentleman had spoken, but more especially from the sentiments with which it was fraught, from the documents with which it was furnished, and from the ostentatious sort of official tone and display with which it had been delivered. He would appeal to all those who had been present at the discussions in the House during the session, whether it had not all along been the plan of the noble lord opposite, and his colleagues, to sit from day to day in their places, to hear questions asked by himself and his hon. friends, without giving any answer—to hear the debate carried on without taking any due share in it. But now, the right hon. gentleman was set forward, and with a sort of remembrance of his official habits, and resumption of official duties, comes before the House with a kind of military budget, and gave what could be looked upon in no other light than as the government statement upon this important occasion. The House was, therefore, now to consider this statement of government principles upon which that system for the maintenance of an immense military force was to be supported. He should not follow it at length into detail, as the matter was not yet in a shape to be entered upon so particularly, and he could not consent to go into a Committee on the papers on the table, which were formed on principles dangerous to the constitution. It was of inferior consideration whether the constitution was to be destroyed by an amount of cavalry, infantry, and ordnance, of 139,000 or 149,000 men. His objections went to the whole system of an enormous force in time of peace, and to the principles on which it was defended. All Europe, the right hon. gentlemen said, was much changed, and had become far more military than in 1784 and 1792. We were now told that we must put off our peaceful habits, and conform ourselves to the practice and principles of the despotic governments of Europe. This was the principle which, on the first opportunity during the session had been inculcated by the noble lord opposite. We were to change not only our establishments but our tone—we were to put on a military tone. The words of the government had been in harmony with their acts;—they had not only shown their disposition in our establishments, in the extension and creation of military orders, but in institutions not the less dangerous because they were not under the control of parliament, nor of a less insidious tendency, because they bore the innocent name of clubs [Hear, hear!]. On this head he concurred in the opinion of an illustrious naval commander (Earl St. Vincent) as to the nature of these institutions, who had not only refused his assistance in promoting their formation, but had expresed his abhorrence of them as being un-English and hostile to the spirit of our free constitution. The right hon. gentleman had said, that the treatment which was recommended towards the army was ungrateful—that it was *laudandus*, *ornandus*, and *tollendus*. He (Mr. Brougham) joined in the praises which had been bestowed on the army—not from empty wonder and groundless admiration, but because they had done real service to the country, and he did not therefore wish that they should be perverted to our destruction. He would join to praise their triumphs, and raise altars or pillars to record them—but he would also disband them, that they might not be as fatal to England as they had been to Buonaparté. It had been said, that we had long kept up a great army in safety. An army in time of war could not be constitutionally mischievous; it was abroad and in activity, for ends beneficial to the country: but bring it home, let it be in this island at the direction of the executive; even if it should be under the command of officers as pure and incorruptible as it was possible to conceive, still they were men—men in a state of subordination and allegiance, not to parliament, but to another power, and might be employed by that power either against the parliament or the people. The right hon. gentleman had asked whether it could be supposed that the gentlemen of England, the officers of that army would turn their arms against their country? If such an appeal had been made in former times, with what scorn and indignation would it have been treated? [Hear, hear!] Could the right hon. gentleman who was so well versed in constitutional knowledge, and whose family had borne so distinguished a part in the constitutional history of this country, advance such a doctrine? Let him imagine that in former times it had been said that the army was under the command of lord Cadogan and lord Peterborough, the very pillars of the constitution, and that therefore it could not be turned against the people:—Would it not have been then said, that as long as soldiers were subordinate to the Crown the parliament was bound not to maintain one man more than were absolutely necessary to the safety of the country. The right hon. gentleman had quoted the preamble of the bill of rights to show that if parliament passed a law for the maintenance of an army in the time of peace, the measure would not be illegal. This was true enough; but did it prove that an army was necessary in time of peace, or that it was not altogether contrary to the spirit of the bill of rights, and of all the enactments and rules for the maintenance of our military force, that any men should be maintained who were not absolutely necessary to our safety, because during peace that force must be at home, and could not act but in a manner hostile to our constitution? The peace establishment of Mr. Fox had been cited by the right hon. gentleman, not because he had any wish to follow the precepts or principles of that great man, but as a species of *argumentum ad hominem*, in which reasoners of the right hon. gentleman's stamp much delighted. Mr. Fox in 1784, had proposed to the House a peace establishment of 50,000 men, under the circumstances of the country at that time; that is to say, just one third of the present establishment. How then, were the remaining 90,000 men accounted for? It was said there had been a great increase in our population. On this principle, every increase of our population was supposed to be an increase of our weakness, and an additional source of disturbance. And we were to decide by the rule of three, that if with 8 millions of people we required 50,000 soldiers, with 15 millions we required nearly twice as many! But the fact was, that in 1784, the country was much more disturbed than at present; and could any man for a moment attempt to say, that as to external danger there was any comparison between that time and this? In 1784 we had concluded a war of which it was hard to say whether it had failed most in Europe or America, and at that epoch so pregnant with danger, lord North and Mr. Fox had proposed an establishment of 50,000 men; but in the present halcyon days of peace, three times that number was demanded. Of that year the whole expense was 7,821,000*l.*; and of 1787, which, as to tranquillity, was nearer on a level with the present, it was 4,891,000*l.* instead of 20 or 21 millions.—It was worthy of notice in how ingenious a manner the ministers had contrived to fritter away questions of the greatest national importance. Instead of general debates as to the policy of the country, which they always deprecated, they took at once some one "feature," as it was called, of that policy. On Monday last the treaties were debated, and that debate having passed by, all that was then decided was held to be gospel—the House was estopped from calling it in question, and the 30,000 men to be maintained in France were held to be absolutely decreed. This night the military establishment was the "feature," and on some future night it will be the property tax. "I," said Mr. Brougham, "will not disjoin one feature from another; they are all in harmony—they have all the same expression—they are parts of the same face—they all look one way—all look against the constitution, and form neither more nor less than the visage of a military monarchy." [Hear, hear!] This division of our policy into features, he continued to say, had many incidental advantages; they were that night told of a black spot in the horizon—not a word of this in the debate on the treaties! If in that debate a man had suggested that there was a spot even as big as a man's hand, he would have been denounced as nothing less than a false and malignant prophet; all was then bright and beaming with gay prospects of everlasting peace. But now, on the question of military establishments, forth came the volunteer minister with his war-office speech, declaring that nothing but black spots were to be seen, which would soon gather into clouds, and discharge their vengeance on our heads. Now, as to the 30,000 men in France; though he and his friends had objected to them on grounds of foreign policy, they were not constitutionally so dangerous as the troops which were to remain at home, although he was convinced that these troops would not be entirely paid by the French government, and would be provided for in part in the army extraordinaries. Neither was the force in the colonies, though it involved such an alarming extent of influence, dangerous in that double degree to the constitution, as the force in this country and Ireland. This colonial force had been increased in a manner quite inexcusable. For the West Indies and Canada 23,000 men were to be kept up—a number far beyond the establishment of any former period. Whence arose the additional danger? Was France more formidable than in 1784? Was our uncontested maritime superiority of no avail to the safety of our colonies? Or did they require three times as many men to defend them as at a period when we had suffered defeats by land and drawn battles at sea? The more the calculation was followed up, the less would the proposers of this unexampled establishment gain by the scrutiny; and they would gladly resort to general arguments and the visions of remote danger drawn from the military spirit of Europe. If we might apprehend danger from this spirit at some future time, a plain man would ask, why we should not wait a few years, and save ourselves and our resources till the danger manifested itself. It was evident that the results of the last victory had been such, in the dismemberment of France, that though that country had the wish to revenge itself, and though we could not trust either its monarch or his family, the state of Europe and the aggrandisement of our own military character left us less to fear from our natural enemy (as France had been called), than at any time since the revolution of 1688, or even long before that epoch. And this was the moment when it proposed to establish a perpetual military force which had never been contemplated when all Europe was leagued against us, not even at times when war was actually raging! It was a fact as to which the right hon. gentleman might satisfy himself by figures, to which he loved so well to refer, that in the seven years war, when we defeated France in all quarters of the globe, our military force was not half that which was now proposed as a peace establishment. [Hear, hear!] But they were told it was a chimera to suppose that an army could be dangerous to the constitution; that an army was the most innocent and harmless of all establishments. Without inquiring into all the ways in which an army might be injurious to the constitution, was it not enough to prove the danger, that it bore with it an immense system of influence, which was not the less injurious to the interests of the people, or less fatal to the constitution, because it was not in the hands of a responsible minister who might be questioned day by day in that House (though questions of late had not been answered), but in the hands of a person intimately connected both by interest and blood, with a power which was neither Lords nor Commons, nor Cabinet, but the

Crown itself? [Hear, hear!] Was there no danger to be apprehended from the traffic which might possibly take place between the Crown and powerful individuals, who in return for commissions might engage their families to serve the monarch politically, and themselves to serve him military? [Hear, hear!] But to warrant this tremendous danger to our liberties and constitution, the plea was, that there had been a change in the country; that our arsenals, depôts, and dockyards were larger; and that unless we would lay open these establishments, and allow the rabble to break in and steal, we must increase our military force. Now, was it that these arsenals contained more stores than formerly—that the quantity of hemp, and anchors, and masts had so increased, that by a view of these very portable and alluring stores the people would be beyond all measure enamoured, and would not, without military interference, be restrained from the indulgence of their larcenous propensities? And was it from the great quantity of old iron, that we were to have an army of 150,000 men? He could scarcely believe that he had heard it. Was it that the buildings were larger, and that it would be more easy to break into a great house than a small one? In time of war, he granted, or in the event of insurrection of his majesty's loving subjects, of whose universal happiness they had heard in the speech from the throne (though they had that night received twenty-six petitions from a small district), if it was said there was a danger of insurrection, and that the garrison of Plymouth had been increased in extent, additional force might be necessary. But against midnight depredators, or the chimera of popular insurrection, a smaller force would be sufficient. And he hoped the right hon. gentleman who spoke last would not suffer himself to be led astray by any abstract view of nocturnal depredations, or the portability of sheet anchors, but would follow his natural good sense, and those practical notions of the nature of man, which he had recommended to those who made reflections on courts and courtiers. —Mr. Brougham said, that he had, perhaps, wasted more time than they deserved on the propositions which had that night been advanced, but the unwarrantable principles, and the cool talk of the right hon. gentleman, as to the bugbear of a standing army which had frightened the opposition side of the House, had provoked him to enter his protest against those principles, and endeavour to recall to the House the feelings of better times. He hoped the House would not be led away by illusory details and items, which might be multiplied at pleasure, from the view of the sudden and groundless extension which was meditated of the influence of the Crown, against which the efforts of the House and the people should be directed. He had not said one word about the property tax, because that was a question perfectly separate from the question of the increase of the army. If the House agreed to maintain establishments which were inconsistent with the liberty of the country—if they consented to change the whole form of the constitution which was founded on the predominance of the civil power, great as the question which then remained undoubtedly was—namely, whether the people should be ground in their property, after having been stripped of their rights; yet, compared with the constitutional question, it was trifling and subordinate. The House, once for all, should make a stand against the ruin of the constitution. And he would intreat and implore the noble lord and his colleagues, that they would not be led away by their majorities. The people, who had sometimes supported them in measures of which they had since bitterly repented, were resolved, now the war was at an end, and the plea of necessity—the plea so often used when right was opposed to might—could not be advanced, to be deprived of their rights no longer. He implored the noble lord and his colleagues that they would not bring the matter to a closer issue. A voice was raised in the country which, if government persevered in measures of such unparalleled magnitude and expense, would be heard from all quarters, he trusted, in terms humble and respectful to parliament; but of a character so decided, that he hoped even the cool courage of the noble lord would not dare to resist. If there were any able and honest counsellors of the Crown, he knew the advice which they ought humbly to offer. He would presume to suggest the sort of language which such a minister would use to the throne. He would say to his royal master, that this was not a country in which the constitutional system and habits were to be encroached upon by the prejudices, tastes, or views of a military monarch; that the present royal family reigned in this country in consequence of the expulsion of a former reigning family, who endeavoured to govern contrary to the laws; that this country was England, and not Germany. He would say, that whatever prince would indulge himself in costly military gewgaws, in whiskered hussars, and the parade of foreign uniforms, who would make a plaything of an army to amuse himself and his family with, at the expense of the constitution of the country, he must not seek for this in England. [Hear, hear!] This honest counsellor, if such there be, would seek to allay the military mania which prevailed, and if it had reached England, and was to be found in a certain quarter, would use his efforts to root it out, as a malady fatal to the liberties and true glory of the country.

Lord *Palmerston* began by observing, that the hon. and learned gentleman had made an accusation against him, which he certainly could not retort upon that hon. gentleman himself, namely; that he very seldom troubled the House with his observations. With respect to the general and declamatory manner in which the question had been argued, leaving wholly out of view the real point of discussion, he should not be tempted by the example which had been set, to imitate it, but should rather feel it his duty to abstain from all reasonings upon the constitutional and political character of a standing army in a time of peace, and to confine his remarks to the nature and extent of the proposed estimates. He adopted that course, not because he conceived the arguments of the hon. gentlemen opposite unanswerable, but because the present moment was not the fit and appropriate occasion for going into them. The aggregate amount of military force which it was intended to keep up (exclusively of the Indian army and the army of occupation in France, neither of which armies was chargeable to this country), was 99,000 men, and that force might very fairly be divided under four different heads, according to its application, namely, Great Britain, Ireland, our old colonies, and our new colonies. By our new colonies he wished to be understood as meaning those which we had conquered since the years 1791 and 1792. For the service of Great Britain there was to be an establishment of 25,000 men: for Ireland, a like number; for our old colonies, 23,800; for our new colonies, 22,200; and 3000 for reliefs to be afforded, from time to time, to our colonial garrisons. With respect to the force intended to be kept up for the service of Ireland, he should not trouble the House with any details upon it, because he was sure his right hon. friend, the secretary for Ireland, was much better qualified to enter into all the necessary explanations when that part of the subject came regularly before the House. At the same time, however, he could not help observing, that the governments of the two countries were bound together by the closest reciprocal interests; that whatever compromised the safety of the one compromised also the safety of the other; and that it became the duty of both to take care, when magistrates were acting, at the peril of their lives and fortunes, in the discharge of their functions, that they were adequately protected. It could not be denied that the state of that country was such as made it impossible to apply the same general principles of policy or of constitutional practice, with respect to the military force to be maintained there, as might be applied in other cases. If the legislature expected the laws to be obeyed, it became its duty to protect the persons and property of those upon whom devolved the execution of those laws.

In adverting to the other quotas of the public service, he should beg leave to take the colonial question first, and to commence with our old colonies, Gibraltar, our North American possessions, Jamaica, and the old Leeward Islands. The whole amount of force employed on those several stations in 1791 was 16,780; and that which it was now proposed to employ would be 23,800, being an increase of about 7000 men. With regard to what had fallen from an hon. gentleman who spoke early in the debate (Mr. Frankland Lewis), respecting the strength of the garrison of Gibraltar in 1791, he apprehended he was under some mistake upon that point, for, from the inquiries which he had made upon the subject, he believed it would be found that a larger force than 4000 men had been usually kept up there. It was not intended, however, to have a garrison exceeding that number at present; and when it was considered how greatly the works and defences of that fortress were augmented, and how much, in consequence, the military duties of the place were increased, he did not think that 4000 men could fairly be considered as a disproportionate number. With respect to our North American possessions, including the Bahamas, the force maintained in them in 1791 was 5600, and that now proposed to be maintained was 9500, being an increase of only 3900. There were many circumstances, both in the internal and external condition of our North American possessions, which required that increase. It was required, as a defence for our increasing population, and not to be employed against that population. He would remind the House also, that the province of Upper Canada had been almost entirely peopled and settled since the period referred to as the point of comparison by which we were to judge of the present necessity for so large a peace establishment. The rapid accumulation of capital, the augmentation of buildings, and the extended cultivation of that province were, all of them, sufficient grounds for requiring a larger military force. In point of fact, the axe and the spade of the settlers had acted as pioneers in aiding the hostile approaches of our external enemy. He was far from meaning to insinuate (and he anxiously entreated that no such interpretation should be put upon his words), that any fears existed as to the permanency of that amity and good understanding which now so happily subsisted between this country and the United States of America; he hoped, and indeed he believed, that both countries had discovered that peace was productive of reciprocal benefits to them; that both had much which they might lose by war, and much which they might gain by peace. But still, as a measure of political prudence, it was always wise to calculate upon the possibility of aggression and hostilities; and he would venture to lay it down as a general principle, that there were no better means for securing the continuance of peace and tranquillity to any country, than to have it known that any possessions in the neighbourhood of a foreign state were in a condition to repel attack. He was firmly persuaded, that among nations, weakness would never be a foundation for security. He trusted, therefore, the House would agree with him in opinion, than an increase of our military establishment in that quarter to the extent of about 4000 men, was not greater than the safety and protection of those possessions required; especially when it was remembered, that the navigation between the two countries was frequently interrupted for a considerable length of time, and that many months might elapse before reinforcements could arrive, in the event of any sudden incursion of an enemy. To insist upon the value and importance of our Canadian possessions, must, he apprehended, be perfectly superfluous. The tonnage alone, from those possessions, amounted to nearly one-fourth of the whole tonnage from our American territories, while their resources for the supply of naval stores, timber, &c. were such as rendered us in some degree, independent of the nations of the Baltic for those articles. He considered the Canadas, indeed, as the most important and the most valuable of all the possessions belonging to this country.

He should next advert to the island of Jamaica. In 1791 the force stationed there amounted to about 1800 or 2000 men; now, it was proposed to be as high as 4000. And with respect to that augmentation of force, the same arguments which he had used to justify the increased force for our North American possessions would be equally applicable here. The cultivation and increase of the military and naval character of the United States, was a just and legitimate ground for enlarging our own means of defence; for if, by any misfortune, which he should most sincerely lament, we were to be suddenly involved in a war with that government, could it be doubted, that their first efforts would be directed against our North American colonies and our West Indian islands. With regard to Jamaica, however, he was willing to refer, as a criterion by which to judge of the military force necessary for its protection, to the opinions entertained by the inhabitants of that island themselves, which would be found to sanction not only the extent contemplated by the government, but even a much larger one. In point of expense, indeed, it would be easy to prove that it was ultimately much cheaper to maintain a garrison of 4000 men than one of 2000. In the old Leeward islands the force kept up in 1791 was 4,221, and it was now proposed to have 5,500 being an increase of between twelve and thirteen hundred men, including the garrison of Bermuda. And here again he would observe, that the same general arguments were applicable to that branch of the establishments which he had already used in reference to the other colonial augmentations, with one difference however, that at Antigua there was a very considerable naval arsenal which required an additional force for its defence. He was aware that the abolition of the slave trade, by which the importation of fresh slaves was prohibited, and the condition of those actually on those islands was much improved, would, in the course of time, diminish the necessity of a large force being employed with a view to protect the inhabitants from their tumultuary attacks: but at present the condition of those islands was not such as would warrant any diminution of the military strength: and he was sure the House would feel, that even in reference to the welfare of the slaves themselves, it was a more humane and benevolent course, to maintain such a force as would overawe any attempt at rebellion, rather than to expose them to the temptation of risking one, the ultimate consequences of which must always be so fatal and disastrous to the blacks. It appeared, then, upon a general comparison of the force kept up in our colonial garrisons in 1791, with that which it was now proposed to keep up, that there was an aggregate increase at present of no more than about 7000 men; and surely if the House concurred with him in the views which he had taken of our actual situation, they would not regard that increase as disproportionate or excessive.

With respect to our new colonies, they could not have the same point of comparison to direct their judgment; but though they did not possess such a criterion, they had another, and one which, under all the circumstances, would not be considered as inadequate or fallacious; he alluded to the amount of force which the enemy had in those garrisons at the time they surrendered to this country—[Hear, hear! from the opposition benches] He could easily anticipate the sort of objection to that reference, which was implied in the cheers of the hon. gentlemen; he was aware it would be urged that those garrisons were then defended for a time of war, and not for a time of peace; but if he could show that what his majesty's government now proposed to keep up, was much below the amount of force maintained by the enemy, he should then be justified in assuming the latter as a fair ground of comparison, by which to judge of the former. The colonies to which he alluded were those of Ceylon, the Mauritius, the Cape of Good Hope, the settlements on the coast of Africa, Trinidad, Tobago, St. Lucie, Demarara, Berbice, Essequibo, Malta, and the Ionian islands. It was difficult to state the precise amount of force which the enemy at various periods kept up in those colonies, because the only documents to which he could refer related to the amount which actually capitulated: whereas it was highly probable that a considerable number was lost by sickness, by other casualties, and during the engagements which preceded their surrender. With the exception, however, of those deductions, he was enabled to state to the House, that the aggregate number of troops which capitulated and marched out from those garrisons, amounted to between 29 and 30,000 men, while the force which it was now intended to maintain in them, did not exceed 22,000. It was to be remembered also, that those 30,000 were all of them effective troops, and that the 22,000 were to be taken only as the estimated establishment. If, also, to that 30,000 they added, at a moderate computation, 3000 as the number of those who perished from sickness, war, and other causes, it would make the whole force maintained by the enemy, for the defence of those colonies, between thirty-two and thirty-three thousand—a force very considerable indeed, but yet, as the event proved, not sufficiently considerable to save them from falling into our hands. When, therefore, it appeared that our proposed amount of force would not be more than two-thirds of that which the enemy thought it necessary to keep up, he did not apprehend that the House would consider that number as too high.

He should now proceed to enter upon a few details connected with those garrisons. In the Island of Ceylon it was intended to have 3000 troops; but it should be observed that there were two principal stations in that island, Trincomale and Columbo, situated on opposite sides of the coast, and between which the communication was so difficult at particular seasons of the year, that each station might be regarded, in a manner, as a separate and independent post. In the Mauritius there were also to be 3000 troops maintained, and an equal number at the Cape. With respect to the former, it was a recent acquisition, and the population of it was entirely French; a circumstance by no means to be overlooked, for when, in the course of last year, intelligence arrived there of the enterprise of Buonaparté and his usurpation of the sovereignty in France, the conduct of the people proved that they still entertained feelings and views calculated to endanger the security of our possession, if a sufficient force were not maintained to overawe and check them. The

Mauritius, however, was a most important naval station, and one which it would be most impolitic to lose. The same, indeed, might be said of all our new colonies, and that constituted a circumstance which remarkably discriminated them from our old ones. The latter had been solicited either by individuals, or by the Crown, mostly with a view to commercial speculations, and to enlarge the sphere of our commercial enterprises; but the former were either conquered in the first instance, or retained afterwards, as military positions, and calculated to afford protection to our commercial frontier. Their value and importance, therefore, were not to be estimated merely by the criterion of pounds, shillings, and pence, but by the degree of efficient protection which they afforded to our trade in every part of the world. With respect to the coast of Africa, the principal object of our settlements there was to establish commercial relations with the various tribes bordering on the coast, and through those relations gradually to diffuse the blessings of knowledge and civilization. In the new Leeward islands, including six different stations—Trinidad, Tobago, St. Lucie, Demarara, Berbice, and Essequibo—4000 men were to be maintained: and when they considered the number, the nature, and the character of those islands, that amount of force would not, he was sure, be regarded as too great. In Malta and the Ionian islands there were to be 7000 troops: 4000 for Malta, and 3000 for the Ionian islands. With regard to Malta, he need not expatiate on its value or importance: every one who heard him must be acquainted with both the one and the other, and every one must also recollect, how great and prominent a feature it formed in our diplomatic discussions with France, previously to the rupture of the peace of Amiens. Perhaps, however, it would be urged by the hon. gentlemen opposite, that it was so strong, both in its natural and artificial defences, that it required scarcely any other protection; but he would beg leave to remind those hon. gentlemen, that walls and ditches were no very formidable or secure defences, unless they had soldiers behind them. He could not, in fact, persuade himself that 4000 troops would be thought too much for the protection of so valuable a possession. With respect to the 3000 men who were to be stationed in the Ionian islands, he would, perhaps be fully justified in affirming, that the force, both there and at the Mauritius, were in the nature of an experiment, till it could be ascertained, from the disposition manifested by the inhabitants, what degree of military strength it would be necessary permanently to maintain. If any grounds should arise hereafter to authorize a reduction, he could only say, that there existed every disposition on the part of his majesty's government to avail themselves of such an opportunity. It should not be forgotten, however, that of those islands, the island of Corfu was a very important one, the defence of which ought not to be entrusted to too small and inadequate a force.

It appeared, therefore, that the whole amount of force required to garrison our new colonies, was about 22,000; or, if the proportion required for St. Helena and the coast of Africa were struck off, about 21,000. To that number were to be added the 3000 to be kept up for the purpose of affording relief to those garrisons. The propriety and necessity of that arrangement, would not, he apprehended, be disputed. It certainly could not be desired that our officers and men who were sent to garrison those colonies should be placed in a condition of perpetual banishment: they ought to be permitted to look forward, after a certain time of service, to the cheering prospect of returning to their native country. As, however, by the recent regulations introduced into the army, we could not now draft the men from one regiment to another, it became obvious that there must always be a certain amount of force maintained as a sort of fund of reserve, and occupied in passing to and fro. Calculating that the force employed in the colonial garrisons would not be kept abroad for more than ten years, which was as long a period as could reasonably and fairly be contemplated, there then ought to be annually sent out from this country one tenth of the whole amount of force employed upon our colonial stations; and to supply that proportion, it would require from six to seven thousand men to be annually sent out as reliefs. But, as the position of the army of occupation in France might be justly considered as adding to the security of our colonial possessions, only 3000 men were to be taken for reliefs.

He now came to consider the last quota of the 99,000 men which were to be maintained; namely, the 25,000 which were wanted for the home station. That amount exceeded what was kept up in

1791, by about 7000 men; but when he reflected upon the enormous increase of our colonial possessions, and the amount consequently required for foreign service, he could not regard an increase of 7000 as exceeding the fair proportion of what that increase might be expected to be. The House should recollect, that in proportion as our colonial force was inevitably augmented, in the same necessary proportion must be the increase of our depôt at home, from which the former was to be supplied. They were also to look to the possibility, though, he hoped, not to the probability, of our army in France being called into action. That there was a possibility of such an event taking place, was obvious, from the very nature of the engagements under which that army remained in France; for if there were no such possibility, why was the army stationed there at all? In such a case, therefore, reinforcements to a considerable extent might be required, and would it be wise or prudent, or even economical, to reduce our army at home so low, as to be unable, upon the emergency of the moment, to afford those reinforcements? The hon. and learned gentleman who spoke last, said it was perfectly ridiculous to suppose that any increase of our naval arsenals and magazines should require an increase of military force to protect them in time of peace; that a magazine of a mile long need not be more extensively guarded than one of only a furlong; but that sort of argument, if indeed it might be called an argument, carried its own refutation along with it; for if the object were only such as the hon. and learned gentleman himself supposed, namely, to secure a magazine from the depredations of a midnight robber, still it was obvious, that the more you increased the line of that building, the more men you would require to watch it in different parts. But the House would commit a gross blunder, if they limited their views only to the supposition of the hon. and learned gentleman. It should be remembered, that a great many different works for the defence of the country had been constructed, and after having incurred the expense of erecting those works, would it be a very economical plan to suffer them to go into a state of dilapidation and decay, in order to be put to the same expense again whenever another occasion should arise to render them necessary? The force now proposed to be kept up within the realm was not more than would be found requisite to guard against such improvident dilapidations.

With regard to the difference in the amount of expenditure between the present period and that of 1791, there were circumstances connected with our foreign and domestic policy which at once accounted for that difference, and justified it. He presumed no one would venture to say that our new colonies were not worth keeping, and if they were worth keeping, then they must be garrisoned. If the hon. gentlemen opposite were prepared to affirm the contrary of that proposition, let them do so distinctly and explicitly; let them lay their finger upon this or that colony and say, here is one which is of no value to this country; or here is another which requires more expense to retain it than it is worth. Let them follow up that doctrine by an address to the Crown, and if the Crown should concur in the wisdom and policy of their suggestion, it would then be for the government to say to such colonies, so proscribed, you must either provide for your own expenditure, or you must transfer your allegiance to some other potentate, who has more power and more wealth than Great Britain to defend and support you. But, until that direct course was taken, and until parliament had so pronounced itself with respect to our new colonies, he apprehended it was incumbent upon his majesty's ministers, in the solemn and conscientious discharge of their duties, to prepare such establishments of military force, as they thought necessary for the defence of those possessions. If they did not do that, or if, from any base and mean desire to court popularity, they were to put those valuable colonies in hazard, and if any disastrous consequences were to ensue from their neglect, they would incur an awful responsibility, and he would venture to say, that the hon. and learned gentleman opposite, would not be the last person in that House to pour down upon ministers the torrent of his invective and accusation [Hear, hear!].

The plain question, then, for the House to consider was, whether they would reduce all the military establishments of the country below their just level, and whether, if they did so, the savings would bear any comparison to the injury that might be done? For after all, even if the plans of retrenchment so loudly called for were adopted, the diminution of expenditure would not be so great as the country and that House seemed to imagine. Would, it therefore, be a wise or expedient course, under those circumstances, to abdicate the high rank we now maintained in Europe, to take our station among secondary powers, and confine ourselves entirely to our own island? He would again repeat, that the question was not whether they should carry into effect such diminutions of the military establishments of the country as would save the people from the income tax, for he contended that no possible reductions in those establishments could accomplish that end; but whether they should compel the Crown to abandon all our colonial possessions, the fertile sources of our commercial wealth, and whether we should descend from that high and elevated station which it had cost us so much labour, so much blood, and so much treasure to attain [Hear, hear!]? He wished also to remind the House of a circumstance which was constantly overlooked, though it ought to be always borne in mind. The present estimates were not to be regarded as the estimates for a permanent peace establishment. They were, in fact, no such thing. They referred to a sort of intermediate state between peace and war. Of the 9,800,000*l.* which were to be voted for those establishments, one million was exclusively appropriated to expenses which would be incurred this year, and not the next: it was to be applied to those land forces which would be reduced in the course of the year, to the embodied militia, and including also the charge for foreign corps, the whole of which was to be reduced. Some of those were already reduced, and others were in progress of reduction. The House, therefore, even upon the face of the estimates then before them, might calculate upon the diminution of one entire million after the lapse of the present year.

There was another consideration also, which had been very properly urged by his right hon. friend. Even if every officer and man composing that part of the British army, which it was intended to keep up, were annihilated to-morrow morning there would still remain a charge of upwards of two millions, which had no connexion whatever with the proposed establishments, but which would be absorbed in the half-pay, in the gratuities to the army in the funds necessary for the support of various charitable institutions of a military character. These two millions, however, were likewise included in the general estimates for the army for the current year; but if they were deducted together with the one million which, as he had already stated, would cease to be a charge upon the public after the present year, the aggregate amount would be reduced under six millions. It was to be considered also, when comparing this peace establishment of six millions with the peace establishment of 1791, that since that period a very great increase of pay to every department of the army had taken place. The pay of the soldier had been doubled, that being now one shilling a day, which used to be sixpence. The pay of the officers also had been raised, though not exactly in the same proportion; and a variety of regimental allowances had been granted. All those different augmentations had been submitted to parliament, and had received its deliberate sanction; and he must say, that as far as it had fallen to his share to propose those augmentations, he had always found the liberality and benevolence of parliament disposed to outstrip the measure of allowance which the government thought it prudent or necessary to propose. When, therefore, all those circumstances were taken into consideration, and all those deductions were made which distinguished the present period from that of 1791, he was convinced that the proposed peace establishment was one which could not justly be regarded as stretching beyond what the interest of the country imperiously demanded. He would not trespass longer on the attention of the House, but should reserve himself for any further explanations which might be necessary, when they went into the committee.

Mr. *Ponsonby* said, that as every gentleman must be satisfied it would be impossible to bring the important debate then before the House to a close that night, he should move the adjournment of it.

Lord *Castlereagh* was anxious that an extensive and minute scrutiny should be applied to the estimates, as the fullest discussion and examination would, he was convinced, only tend to establish the wisdom and just application of the policy on which they were framed. Ministers were desirous of nothing so much as an investigation, which he confidently anticipated, would redound to their credit.

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The motion for adjourning the debate to the next day was then agreed to.

HOUSE OF COMMONS.

Tuesday, February 27.

Petitions against the Property Tax.] Petitions against the Property Tax were this day presented from Kincardine, St. Mary Whitechapel, Oxford, Wantage, Tavistock, Malton, York, Royston, Boston, &c.

Mr. *Brand*, on presenting a petition from the inhabitants of the parishes bordering on Hertfordshire, Cambridgeshire, Essex, and Bedfordshire, said, it stated the great distress that prevailed, of which taxation was the cause, and of which the reduction of taxation could be the only remedy. The petition proceeded to pray the House to take such measures as would put an end to that odious, inquisitorial, and detestable measure the property tax, a measure so destructive of that constitution which their forefathers had bled to maintain. He had trespassed on the time of the House in describing the nature of the petition that he might avoid the errors and misrepresentations so prevalent on the subject.

Mr. *Madocks* in presenting a petition from Boston, insisted on the entire contents of it being read. It was signed, he said, by a number of persons, all of great respectability, and the signatures would have been much more numerous had the petitioners not been afraid of being too late. He was directed by his constituents —especially charged—to give every support in his power to their petition, and to lose no opportunity of accomplishing its object, namely, that of preventing the continuance or renewal of the income tax —the most odious burthen that was ever imposed on this or any other country—a burthen to be submitted to only in cases of imperious necessity in time of war, and to be discontinued on the first recurrence of peace, even though the faith of parliament did not stand, as in the present instance, so solemnly pledged to that effect. He obeyed his constituents, not only from a due attention to their wishes, but from a full conviction of the propriety of their prayer, the justness of their complaints, the extent of their distresses, and the reasonableness of their view, as to the various modes of relief therein stated. He felt, with the petitioners, that much might be done by reducing the expenditure of the country to its lowest possible scale, and by resorting to retrenchment and economy, the two best features of finance, except those other measures now become indispensably necessary, namely the checking the extravagance of the court, and the suppressing the corruptions and overgrown patronage of the government. He participated in their just apprehensions of danger to their finances and their liberties from the large military establishments in contemplation of ministers, and their constitutional and well-founded jealousy of a vast standing army, at all times the fear of good men, and the ready instruments of bad He was astonished at the obstinacy and pertinacity of the chancellor of the exchequer. He was surprised, too, at his short-sighted policy in shaking the reliance of the country, on the promise of ministers, and on the word of parliament, in the event of having to draw largely on the resources and efforts of the nation, on future exigencies. He complained of the chancellor of the exchequer pressing this great subject with such indecent haste through the House, with so little respect to the voice and feelings of the people, and with such ungrateful return for their unexampled patience in the time of need and peril. The chancellor of the exchequer had said it was necessary to get the bill into the House, without loss of time, because the 6th of April was so near at hand. Why was not parliament summoned sooner to take these two great questions into full consideration, namely, the property tax, and the amount of the standing army. He thought the disposition shown by ministers to consult parliament as little as possible, their proneness to get the country into difficulties, and their practice of hurrying these measures through the House at so late a period of the year, without due deliberation and information, was a system that ought to be resisted and amended, and that parliament ought to be considered any thing rather than a mere registry of their edicts, and their ready instrument for laying burthens on the nation. Surely, a main part of the functions of the House of Commons was, to cherish the industry of the people, to better their condition, encourage knowledge and improvement, to foster genius and reward merit in every department of the state, and in every calling of human life. For these important objects the great council of the nation was instituted, and it ought to have time and opportunity to sit and deliberate upon these important subjects, the means of glory in peace and of strength in war. The hon. gentleman said, that the case of his constituents, and the people in the neighbourhood of Boston, was peculiarly hard, as it regarded the income tax. So much land in that district had of late years been brought into cultivation for the benefit of the state, and for its demands in time of need, that in the year 1802, although the port of Boston exported 90,000 quarters of oats, and 8,000 of wheat, yet in the year 1812, only ten years after, she exported 360,000 of oats, and 32,000 of wheat, being an increase of fourfold in ten years. The capital and industry necessary to bring about so favourable a result to the resources of the country, were no doubt embarked in these useful enterprises under a confidence in the word of parliament, that on the return of peace the income tax paid on these lands, to the amount of 17½ per cent. would cease, even when the present low price of grain, and the great and sudden fall in the price of the produce of land were not anticipated. But now, under the extreme depression of the land in all respects, was it not incumbent on parliament to keep their faith with those spirited agriculturists, those true practical patriots, and not permit their capitals to be deteriorated, their spirits broken, and their lands to return to the barren and drowned state in which they had been for centuries? He hoped they would listen to the petitioners, and not to be deaf to the prayer of the nation. He wished the House to have a return of all those farmers and families who had been sold up to pay the King's taxes, and who were reduced to poverty and emigration. Last year, where it took fifty bushels of wheat to pay the King's taxes, it now required more than one hundred. Would parliament, then, be deaf to the petitioners? Would it not turn its attention to the great evils of a suddenly contracted currency? Would this House not do something on the subject of poor-rates and tythes, those great checks to public prosperity? In fact, in addition to the 17½ per cent. income tax, the landed interest paid all the direct taxes to the full, and as principal consumers, a greater part of the indirect burthens. They maintained the poor and the clergy, kept up the roads and bridges, and provided buildings and establishments for all the civil wants and necessities of the country. The income tax was not only a system of state inquisition; but it was a check equally to the agricultural, manufacturing, and commercial industry of the people. It was the unjust confounder of ephemeral profits with perpetual wealth, the blight of professional talent, and the scourge of stipendiary genius and labour. It was to be hoped the House would imperatively interfere with the obstinacy of ministers, that they would not compromise the faith of parliament, nor abuse the confidence of the people, but that they would in gratitude prevent them from being ground to the bone, in return for their patience, their spirit, their loyalty, and their valour. Mr. M. stated a case of a farmer being sold up to pay the King's taxes; the produce of the distress went to discharge the landlord's and tenant's income tax, when, in fact, the landlord had obtained no rent nor the tenant made any profit. He wished, before he concluded, to ask ministers three questions, which he thought they might answer without any violent injury to the public service—1st, Whether under the new income tax, the landlord was to pay any tax, if he received no rent? 2dly, Was the tenant to pay any tax if he made no profit? 3dly, Was the tax to continue one or two years more positively?

Mr. *Methuen* observed, that without some modification, the property tax was quite out of the question. He believed, in his conscience, that the country had not power to bear it. He objected to it on two grounds; first, that it was a breach of faith towards the people on the part of government; secondly, that in many cases it was a tax on no income—a tax, not on profit, but on absolute loss. An hon. member had said, that it was not a tax on the poor. He wished to ask that hon. member, when gentlemen received no rents from their estates, and when tenants were distrained, how the labourers were to find work, and how the paupers were to be prevented from starving? The argument of the right hon. gentleman, derived from the expediency of not pressing on the money market, might be very good in theory, but it was very bad in practice. In fact, the measure, if persevered in, in its present state, would ultimately be much more injurious to the money market than any abandonment of it could be.

Mr. *Brougham* saw that it was in vain to expect any answer from the gentlemen opposite. As his right hon. friend (Mr. Tierney) had said the other night, their infirmity was dumbness. If what had been urged by the two hon. members who had last spoken failed to open their mouths, he almost despaired of success in doing so; yet he would make another attempt on the subject. He could not help suggesting to the right hon. gentleman, for his own sake, and for the sake of the government of which he was the financial organ in that House, and for the sake of the peace and tranquillity of the country, to reconsider the propriety of hurrying this odious measure through parliament. Day after day intelligence reached the metropolis of meetings in the country appointed to be held, some so late as the 8th of March. All, however, would be in vain, if the right hon. gentleman persevered in his intention. Viewing this question as one of no ordinary description, but as an attempt on the part of his majesty's government to stifle that voice which, if once raised, neither they nor those whom they served dare oppose, he would frankly and candidly forewarn the right hon. gentleman, that he would do that which on no other occasion he would be induced to do,—he would have recourse to those privileges which every member possessed, for the purpose of interrupting and staying the business before them. He considered this as a just, fair, and necessary proceeding; and though no other member should stand by him, he would use all the means which the forms of parliament put into his hands, for the best object for which they were framed by their ancestors—the protection of the rights of the subject. The right hon. gentleman might attempt to bring forward his proposition on Friday, but he should be immediately met by the question of adjournment, and that for the avowed purpose of stemming at the outset this attempt to smother the voice of the people —[Hear, hear! from all parts of the House].

The *Chancellor of the Exchequer* was satisfied, that whenever the hon. and learned gentleman opposite, or any other member, might come down with a studied design to interrupt the proceedings of the House, the House would know how to protect itself, and how to assert its own dignity. Confident of this, he should neither fear nor shrink from any measure to which the hon. and learned gentleman might think it his duty to have recourse. With respect to the questions which had been asked, he had only waited for the bringing up of the petition to reply to them. As to the modifications which were spoken of, he had to observe, that these could not be made till the bill had been brought in; and when it was in progress he should not be wanting in his duty by failing to attend to the suggestions which might be thrown out. As to hurrying of the measure, which had been complained of, it was proper to remark, that if the House waited to receive all the petitions which might be sent up, they would probably wait till the latter end of next month, as till then it was probable these proceedings would not terminate; and if they were to do this, what time would remain for carrying a measure through the House, which ought to be complete before the 5th of April? In answer to the questions put by an hon. gentleman opposite, he begged to say, that the regulations which were suggested by the two first of them, could only be properly considered in the committee. It would be for the House to introduce such modifications when the bill reached that stage, if they should appear proper to be adopted. With respect to the questions as to the duration of the tax, he had no hesitation in saying it was intended to propose that it should continue for two years, and this he thought would be more satisfactory, than if it were stated that its duration was to be limited to one, as if renewed from year to year, it would wear more of the aspect of a permanent tax. From the present situation of the country, there was reason to hope that at the end of two years it would not be necessary to renew it. If much discontent had been excited out of doors on that subject, it arose, not from the tax itself, but from the gross misrepresentations which had gone abroad, and from the unfounded assertion which had been made, that to renew it would be a breach of the good faith of parliament. He contended, that in renewing it there would be no breach of good faith. The words with which the act had formerly closed "and no longer," which declared the tax should terminate with the war, had been omitted in the act of last year.

Sir *Samuel Romilly*, adverting to the statement made by the chancellor of the exchequer, that there was no time to delay the proceeding, because the existing act would expire on the 5th of April, observed, that that was the fault of his majesty's ministers, who had thought proper to call parliament together at a period later than that recollected by any person living. It was for that that the measure was to be hurried through the House with haste so indecent, as not to allow the representatives of the people time to be instructed by their constituents. At the time that they prolonged the prorogation of parliament, ministers knew the distresses of the country; they knew also their own intention of proposing the continuance of that tax, which, oppressive as it was in itself, was rendered still more irksome by the mode of its collection; and they must also have felt, that the proposition was one calculated to excite the greatest alarm and opposition. The right hon. gentleman had asserted that it was a gross misrepresentation to say that the faith of parliament was pledged to the continuance of the tax only during the war; and he had maintained this assertion by stating, that in the last act the words "and no longer," after the words "during the war," were omitted. Unquestionably, the House was last year given to understand, that the measure was to terminate in a year; and if it was at that time the intention of the right hon. gentleman to propose, at the end of the year, a prolongation of its existence, it ought not to have been announced by a mere omission only. The right hon. gentleman ought at once to have declared that it was intended to make it a permanent tax. That it certainly would be, if the present proposition were agreed to; for could the House or the public be so deceived, as to imagine, that if parliament voted the tax for two years longer, it would actually terminate at the expiration of that period, and that it would not be made a permanent measure? It was important to consider under what circumstances this tax had been originally imposed, and under what circumstances it was now proposed to continue it. It had been imposed because it had been deemed indispensable by the country to maintain a vigorous war for our own security, and for the destruction of the power of that individual, who in his gigantic progress towards universal empire, threatened to wield the immense means which were placed at his disposal, for the purpose of excluding Great Britain from all continental commerce, and who had nearly effected this, one of the wildest of the wild projects in the execution of which he had engaged. That war, avowedly carried on for the purposes which he had described, had a very different object before its conclusion. Let it be strongly impressed on the minds of the House, that if the property tax was now to be continued, it was because we had a great military establishment, and that we had a great military establishment because we had seated Louis 18th on the throne of France, and because by treaty we had guaranteed his possession of that throne. Our enormous military establishment had no British object in view—it was not directed to the defence of our liberties, nor to the establishment of our security—it existed solely for the maintenance in France of an arbitrary government. For that object was the country to undergo all the oppression of that severe and inquisitorial imposition, the property tax. It was because his majesty's ministers had made a peace on the continent, which could not be maintained without a standing army, and because that standing army was necessary for the maintenance of oppression. All the comforts, and many of the necessaries of life, were to be sacrificed in England, for the support in France of a government which had destroyed the liberty of the press, which had abolished all security for personal freedom, which, in the mode in which it had called together the legislative assembly, had grossly violated the elective franchise, which had connived at the persecution of the unhappy protestants [Hear, hear!]. He would not make this last assertion had he not good grounds for it. He was the more anxious to describe them, because the noble lord (in perfect sincerity he had no doubt) had declared that all the reports and statements with respect to the persecution of the protestants in France, were void of foundation. He repeated, that the government of France had acquiesced in that persecution. The duke of Wellington had said in his letter, that the French government did all they could to suppress the proceedings in the department of the Garde. He (Sir S. Romilly) said that the French government did nothing to suppress them, except in mere words. They issued a proclamation of professions. It was a fact which he had too good information for a moment to doubt, that notwithstanding all the crimes which had been committed in the department of the Garde, notwithstanding the murder of above two hundred persons, notwithstanding the plundering and burning of two thousand houses, notwithstanding the whipping of many of the protestants with a severity so great that eight persons actually died under the infliction, not a single individual in that department had been punished—not a single individual in that department had even been prosecuted. Was not this a criminal acquiescence on the part of the French government? Let the House recollect what took place in this country in the year 1780, when the intemperate fury of the populace was directed against the catholics. What course had our government pursued in consequence? They prosecuted with a just severity the individuals offending. They prosecuted even the chief magistrate of the city, whose only crime was cowardice. Had any of the magistrates at Nismes been punished? Not one of them had even been removed. Not the slightest disposition had been evinced to detect the criminals. When general Legarde was shot, the prefect of the department published a proclamation, not for the apprehension of the individual by whom it was notorious that the murder had been committed, a serjeant of infantry, well known to the whole population of that district; but for the apprehension of "the unknown author" of the crime; thus affecting not to know what was thoroughly known to every one. And then the proclamation stated, that "an atrocious crime had been committed." An atrocious crime! Hundreds of atrocious crimes had been committed; but not a single prosecution had been instituted against the criminals. The noble lord talked of those who denounced those enormities in this country having received a lesson. He (sir S. Romilly) declared, on information as much to be relied upon as any that the noble lord could possess, that the interposition of the public opinion of England in favour of the persecuted protestants of France, had been attended with the most advantageous effects; and that to that interposition the French protestants were indebted for the comparative toleration they now enjoyed. He used the word comparative, for positive toleration they had none. He could further take upon himself to state, that a Roman Catholic church, which, during the revolution had been converted into a fish-market, was every day beheld by the people without the least indignation, though it still continued appropriated to the same prophane purpose; and this took place at a time when the agents of the French government pretended that, in order to quiet the minds of the people, it was absolutely requisite that two protestant temples should be robbed from those to whose religious worship they had for years been consecrated. It might be said, that all this was not relevant to the subject immediately before the House. He would answer, that it had quite as much connection with the question before them as all that which had been spoken by a noble lord some nights ago, with regard to the persecution of the Protestants in France. But he would further observe, that it bore materially on the question, since the property tax was deemed necessary by ministers, in order to support an immense standing army in time of peace, and the only object for which that army could be deemed requisite, was to keep on the throne of France a bigotted family, that were odious to their own subjects. He wished to show, therefore, that such a government had no connexion with British interests or British feeling.

Mr. *Ponsonby* maintained, in opposition to what had fallen from the chancellor of the exchquer, that a most explicit promise had been given of the removal of the property tax after the 5th of April, in case the war should have terminated before that time. He would ask the right hon. gentleman, why he had omitted the words to which he alluded in the act, unless he himself was conscious that the act, as originally framed, contained a pledge that the tax would be removed? But this was not the only solemn declaration made by that right hon. gentleman to the public, which had been deliberately broken. The predictions and promises of the right hon. gentleman were never fulfilled. Last year he had told the House, he had no doubt it would be unnecessary to continue the bank restriction act after the present year; yet the first measure of the present session had been to renew it; and he had in this instance wisely abstained from promising again that it should be taken off. He now told them, he hoped it would not be necessary to continue the property tax for more than two years. Last year he had told the right hon. gentleman, that he deceived the House or himself, when he expressed an opinion that the bank restriction act would not be necessary this year, and he would now tell him, that from the system of extravagance on which ministers were acting, it would be impossible, if that system was adhered to, for the property tax to cease at the expiration of the period which had been mentioned. The tax was now resorted to—less for the revenue it would give, than for the purpose of keeping in the hands of ministers the machinery of oppression. Possessing this tax, they could at any time raise it from five to six or seven per cent. If it was now submitted to, he did not believe any man in that House would live to see it again taken off.

Mr. *Brand* declared it to be his opinion, that the House had been pledged to remove the tax, and as a confirmation that the chancellor of the exchequer had made a promise to that effect, he reminded him of what had passed in a committee of ways and means, when the tax was proposed. When it was renewed last year, he had expected it would end with the contest which caused it to be revived. That contest having terminated much sooner than might have been expected, he was astonished that every man in that House did not hold himself bound as a party to the pledge which had been given, to oppose the renewal of the tax by every means in his power.

Lord *Folkestone* said, that the House was in the constant habit of looking back to the circumstances under which an act was framed. It was always done in the assessed taxes, and ought not to be neglected in this instance. With respect to this bill, no man could doubt that the sole object of the right hon. gentleman was, to preclude the people from stating their grievances, and to prevent their petitions from being heard. Was not this adding insult to injury? One member of the administration had said, that there existed an ignorant impatience for a relaxation of taxation; and another declared that the public feeling was not excited by the tax itself, but by the exaggerated statements that were made in that House. Gracious God! had not all the meetings been held before any discussion had taken place? Every man in the country felt the grievous effects of this tax, and was anxious that it should be abolished. Persons in town could not conceive the distressed state of the country; but he wondered that none of the friends of ministers had informed them of it. Every person raised his voice in detestation of this odious and oppressive impost, and humbly requested the House not to renew it. He perfectly agreed with his hon. and learned friend, that every parliamentary form should be opposed to the progress of the bill. For what purpose were those forms established by our forefathers? It was, that some honest and faithful representatives of the people might put them in force, whenever the country wanted time to state their opinions to that House. There was no danger whatever in encouraging his hon. and learned friend to enforce those regulations; the whole population of the country was at his back, and applauding him. He trusted, therefore, that he would persist, and that he would succeed, in resisting this most unconstitutional mode of hurrying the bill through the House.

Mr. *Calcraft* said, he had stated particularly, in the last session of parliament, that the necessity of the occasion induced him to vote for the tax for that year, on the faith that it was not to exist longer than that necessity continued. This might, perhaps, be called a misrepresentation, but he had certainly communicated it to his constituents as the feeling of his mind, and the reason of his consenting to that tax. He really believed, that the majority of the House would feel that the faith of parliament had been pledged. It was astonishing the right hon. gentleman should say, that the words "no longer" had been purposely omitted in the act. He had differed with the right hon. gentleman on many occasions, but had always thought him a plain, honest, fair-dealing man; but he now turned round upon the House with his new act of parliament in his pocket, and said it contained words which none of them were aware of. He now stated that he never meant the tax to be given up. But why did he not say so at the time it was imposed? Why not say, I fear the tax must be continued? It appeared, however, that he had concealed his intention under that ambiguous sort of statement which had deceived not only the people, but their representatives. According to the plan of finance now proposed by him, it was totally impossible that this tax could be taken off. It was a breach of faith to the people, to the amount of six millions. He defied any reasonable man to say, that the customs and excise would be sufficient; but if the House should be induced to concede the property tax in this instance, he should think himself a very fortunate man, if the chancellor of the exchequer, instead of taking it off at the end of two years, did not propose to increase it. He most solemnly declared, that he voted for this tax on an express understanding that it should be taken off at the end of the year, if the war should be then concluded.

Mr. *Tierney* could see no inconvenience likely to result from the measure being delayed till the petitions now preparing against it could be received. The bill could act retrospectively as it had done when it was passed in August 1803.

The *Chancellor of the Exchequer* said, that if the hon. gentleman who spoke last had voted for the bill of last year, understanding him to give an assurance that it should in no case be renewed but in time of war, he could only regret that he had been misled, and declared that what had fallen from him did not go to justify this confident expectation. He had come down to the House on the 20th of February, and submitted to them his plan for the peace establishment, and had then given it as his opinion, that though he should not then propose to continue it, circumstances might arise under which it would be wise to renew it for a limited time; and when subsequently he brought in the bill, he had but expressed a hope, that it would not be necessary to continue it beyond a year. He had said it ought not to be kept in force beyond that period which was prescribed to the necessity of the case, and to this opinion he still adhered. On a future evening it would be for him to show that this necessity existed; and should he fail to convince the House of this, of course it would not be in his power to press the tax. The gentlemen opposite went further than he did, when they declared the necessity for this tax would be perpetual. He thought it would soon cease, if the other branches of the revenue were properly collected. He had distinctly objected to the assumption that the House would in no case recur to this tax at the close of the year. When an hon. member, whose loss they all lamented, the late member for Bedford, proposed to introduce the words "and no longer," from the former bill, he had opposed their insertion, on the ground that there might possibly be a necessity for doing so. Of the bank restriction act, at the commencement of the last session, he had said he saw no reason at that time why the bank should not resume cash payments in the next July, but had very considerable hopes that this would be practicable. The return of Buonaparté to France had quite changed the aspect of affairs. On this subject, however, he would not now detain the House, as it would be his duty to go largely into it at no distant period.

Sir *Francis Burdett* said, he felt considerable unwillingness to speak on a subject, in the discussion of which, every thing he could possibly offer, had been already so ably urged by other gentlemen; but he could not refrain from congratulating the House and the public on the subdued tone adopted by the chancellor of the exchequer, in his second address, and he indulged in the hope, that, if the people did not relax in their endeavours to make known their abhorrence of this odious burthen—if, instead of suffering their efforts to be impaired, they derived encouragement from the altered tone of the right hon. gentleman, to persevere in making known their sentiments throughout the country, they would come out victorious from this great struggle. The right hon. gentleman had asserted, that exaggerated statements had been propagated through the country, and that the popular spirit which had been evinced was the result of those exaggerations. Now, he believed there were individuals in that House, who, if they stated their situation to the right hon. gentleman, would prove to him, that the general distress had not been exaggerated. Those individuals could inform him, that they made no profit by their estates—they could tell him, that, from the various taxes which were imposed on the cultivators of the soil, they had no tenants to occupy their lands. He should allude to one case particularly, because it had appeared in the public prints. The gentleman whom it respected, though placed in the situation he had just described, was called on to pay the landlord's and the tenant's property tax. This demand was made on him at a time, when, instead of making any profit by his estate, he was suffering considerable loss. Sir Francis said, he was acquainted with a clergyman, who was possessed of a very large living, which formerly produced 1,000*l.* a year. This gentleman had recently been called on to pay 100*l.* property tax, and 150*l.* poor-rates, although the produce of the living had only produced 120*l.* in the year for which the assessment was made. Such was the state of the country; and yet they were told by one member of the administration, that the people manifested "an ignorant impatience for relief from taxation;" and by another, that their feelings were roused in consequence of exaggerated statements, which were, in fact, totally unfounded. The right hon. gentleman said, they all laboured under a mistake, when they supposed that the property tax was not to be renewed after the termination of the war. He, for one, never was mistaken on the subject; for he never did believe that ministers intended to let the tax die away. He was quite convinced the majorities which supported the right hon. gentleman would not abandon him, in consequence of any expression of the public voice. He despaired of making the majorities of that House, constituted as the House at present was, feel for the distresses of the country. But he hoped that the sentiments of the people would be so expressed as to compel ministers, and through them, their adherents, to abandon the measure. The right hon. gentleman said, the tax was only justified by the necessity of the case. Was not that the language always used on such occasions? Where was that necessity to be found, and who was the judge of it? The right hon. gentleman himself was the judge. The right hon. gentleman stated, that he wanted the tax; and his opinion, that it was necessary, was the cause assigned to the House as proving the propriety of its renewal. It was a proceeding like this which caused the rebellion in the time of Charles 1st. That monarch always enforced his exactions under the plea of necessity. Ship-money, it was said, was necessary; but of that necessity he was the sole judge. The most intolerable burthens had been imposed under the specious cloak of necessity. The land tax was one of these; and the property tax was nothing but a more extensive land tax. That tax was introduced as a war tax; it was, at different times, removed; but gentlemen now saw permanently established an annual confiscation of property to its full amount. What, then, was to prevent ministers, if they proceeded in the profligate course they had so long continued in, from leasing out this new land tax—the property tax? If ministers continued to act as they had done—if the House were dupes enough to suffer it—what gentleman could take upon him to say, that he would possess more of his estate, in the course of a few years, than the mere title deeds? here was no standing against necessity; it implied something that left no alternative. This was not the case here. A loan of six millions would prevent the renewal of this tax—although, probably, the right hon. gentleman might argue, that it would be inconvenient to raise the price of stocks. He had also heard it stated, in that House that thirty million of property, the right to which was not decided, lay dormant in chancery. This was a disgrace to the court, a disgrace to the country, a disgrace to humanity! What dreadful misery must this procrastination inflict on the suitors! It was, in his opinion, an infraction of the constitution—it was a breach of the King's oath—it was, at once, a selling and a denial of justice.—Justice was sold at so dear a rate, that one-half the property was swallowed up before the suitor could recover a part of it. In many instances, the amount of the property was spent over and over again before a decision of that court could be obtained. Why should not the public make use of this money? Why should not the country stand in the place of the court of chancery. Again there were the unclaimed dividends in the bank of England. Why were they not used? The present distress was said to be temporary—here was also a temporary fund to meet it. Gentlemen who had opposed this system of waste and profusion, were told, triumphantly, that all their prophecies (for so their opinions delivered without that decided confidence which belonged to prophecy, were denominated) had completely failed. [Hear, from the ministerial benches.] Why, good God! what had they prophecied? That distress and ruin would inevitably follow, if a course of uncontrolled extravagance were persisted in! Was it not so? Was not the country plunged in the deepest distress? Unfortunately their prophecies on this point were but too correct. It was true, that one great event—an event which had occurred contrary to all calculation, and which, for ages, would hold up British skill and valour to the applause of an admiring world — the ever-memorable battle of Waterloo—had saved the country from impending destruction! But he could not fairly be described as an ignorant or unthinking man, who expressed his fears before the battle took place, that the victory would incline to the other side. If that had been the case, what would then have been the situation of the country? Or what would have been our circumstances, if, as almost every person, supposed France had been able to keep the field, and to fight three or four more sanguinary conflicts? But what praise could ministers claim, in consequence of this fortunate event? Like lucky gamesters, they played double or quit, and brought themselves home again! To give them credit for this great event was ridiculous. They talked of it themselves, as if they were amazed at its magnitude. They were astonished at their own success. Now what was the result? There were other prophecies to be noticed—one of which was, that, whether England succeeded in the war or not, the result would be ruin to the people. That the lower orders would be ground down—that, instead of the constitution we ought to possess, a military government would be established—and that barracks and garrisons would cover the face of the country. [Hear, hear!] He recollected a speech of the great lord Chatham, at a period when that nobleman despaired of the liberties of his country. "When the time comes," said he, striking his crutch upon the floor, "that a barrack shall be erected in England, then adieu to the liberties of England!" But now they sat in the midst of barracks. Hyde Park had its barracks. Woolwich, Chatham, and the contiguous places, presented a line of barracks. What was the use of those barracks? An hon. gentleman on the floor had said, and said with justice, that they were necessary for the purpose of keeping up despotism in France—because we had entered into a treaty to keep on the throne of that country, a bigotted and most odious tyranny. But ministers said, "there shall be a standing army in England, and another in Ireland—it is necessary to keep up great military establishments!" He denied this. In his opinion it was necessary to destroy them all; and if liberty was to exist in England, it could only be by doing away those immense establishments, for the support of which these oppressive taxes were now demanded. Was there ever a time in which a great military force was less necessary? What had this country to fear from Europe? What had she to dread from France? Ireland, it was said, was in a discontented state. That country had not derived those benefits, which were promised to her, by gentlemen opposite, when they proposed what they called a union—a measure which was bribed and paid for—and which, though a union in a legal point of view, was not so with reference to the spirit and feelings of the people. But Ireland, in consequence of this want of harmony, was to be governed by the sword; and though the sword was not necessary in England, yet the same force was to be stationed here. The pretensions of the chancellor of the exchequer, on which he grounded the necessity for efforts the country was unable to make, arose out of circumstances which the ministers themselves chose to create. The country gentlemen of England, who now felt the pressure of those circumstances, which, till this time, they never believed, would, he trusted, assume their natural situation in the state, and exert themselves in defence of their property, and, what was infinitely dearer, in support of the liberties of their country.

Lord *Milton* agreed in many of the sentiments which the hon. baronet had expressed; but there was one point in his speech, which, he conceived, called for observation. The hon. baronet had expressed a hope, that such a clamour and tumult would be made, as should prevent the chancellor of the exchequer from renewing the property tax. The noble lord said he wished that such representations should be made as would operate against the continuance of the measure, but not in the manner alluded to by the hon. baronet. He viewed those representations as acting on that House, and not on ministers. He was persuaded, that the chancellor of the exchequer, unless he had no regard for his own dignity, or for the interests of his country, if he should abandon the tax (and he thought he would abandon it), would do so, not from fear of clamour out of doors, but for fear of losing a majority in that House. Because, he was convinced, if the right hon. gentleman slighted the people, those who nominally, or virtually represented them, would support their cause. The noble lord then observed, that he had voted for the property tax last session, because the circumstances of the country called for exertions that could not have been effectual without it: but those circumstances having ceased, he now felt himself bound to oppose it.

Sir *Francis Burdett* said, the noble lord had put words into his mouth, which he had not made use of. The noble lord said, he had expressed a wish that the clamours of the public would prevent ministers from carrying this measure. He was in the recollection of the House, when he asserted that he had uttered no such thing. On the contrary, he mainly relied on the landed proprietors, those who now began to feel the critical situation of the country, in directing the public voice against the measure, and compelling ministers to abandon it. He certainly felt, that the majorities would not fall off, as long as ministers thought proper to go on with the tax.

Lord *Milton*. I may have mistaken the words of the hon. baronet, but I have not misrepresented his meaning. He is of opinion that the representations of the people will cause ministers to abandon the measure, instead of having their constitutional effect on the House.

Sir *F. Burdett*. The noble lord says, the representations made by the people will operate on the House. I say they will operate on ministers. This is the difference between us, and has nothing to do with tumult or clamour.

Lord *Ebrington* observed, that those who talked of exaggerations having gone abroad, with respect to the state of the country, could not be aware of the extreme distress which at present prevailed If they waited till a paper, moved for by an hon. friend of his was laid on the table, which would show the number of executions, in consequence of distress for rent throughout the country, they would find that what was termed exaggeration, fell far short of the truth. He thought differently from his hon. friend (sir F. Burdett), when he stated his opinion, that the expression of the popular feeling would operate only on ministers. He conceived they would make a great impression on the majority he had alluded to, for he thought better of the individuals who composed the House, than to suppose that such an application would be made in vain. The country, at the present time, must look to the country gentlemen for support. Their time had not, like that of the noble lord opposite, been entirely taken up with diplomatic affairs; they had not, as the noble lord had, he feared, imbibed new ideas on the subject of legitimate government, and on the propriety of supporting a standing army, that greatest evil that could be inflicted on a state. He trusted the people would promptly exert themselves. Not a day, not an hour was to be lost. They ought to vent their complaints from every quarter of the country. And, he hoped, if time were given them, that their efforts would prevent the enactment of this most unconstitutional, most oppressive, and, after what had been said, most unexpected tax.

Mr. *Preston* rose and addressed himself to the chancellor of the exchequer. He said he wished, if it were possible, to rouse that right hon. gentleman to action, that he might see things in a true light; and if he would only attend, he would read him a history of the distresses of the country. He saw that the right hon. gentleman smiled because he had his minions around him. It was a mistake to say, that he (Mr. Preston) thought the distresses of the country were occasioned by its resources being impaired, he did not think that the resources of the country were impaired, but he thought that the present distresses were occasioned by our having a miserable, miscalculating, puny chancellor of the exchequer who did not know the resources of the country, owing to the ignorance and want of power of his little mind. [Cries of Order and Question!] He did not mean to retract what he had said; his opinion was justified by the ignorance and total inefficiency of that minister; he did not know the real situation of the country; he did not understand how to call its resources into action. The state of the country was this—it was incapable of paying what was imposed, and was suffering under a climax of distress [a cry of Question, question!] He would soon come to a close, but he wished to bring certain gentlemen to their senses: the system of the chancellor of the exchequer was radically wrong, and he thought that every species of delay might fairly be employed in order to give time for the petitions to come in. He was resolved to do all he could in order to rouse the country to a sense of its danger. At the same time in respect to any excitement of the people, although he had influence over several parishes in the county of Devon, he scorned to exercise that influence upon this occasion.

Mr. *R. Gordon*, in answer to what had fallen from the chancellor of the exchequer, who had stated, that the late Mr. Whitbread had, in the committee on the existing income-tax bill, moved that the words "and no longer," should be added to the period fixed for its duration, observed, that he was present on the occasion adverted to, and that he recollected no such circumstance. He had looked into the committee books, and found that no proposition of that kind had been made. On the bank restriction bill indeed, when in committee, on the 2d of March, it was proposed to insert the words "and no longer;" but when the property tax bill was in committee, on the 1st of May, nothing of the kind took place. The same remark applied to the third reading of the bill. It therefore appeared to him that the right hon. gentleman had fallen into a mistake, and confounded the property tax bill with that authorizing the bank restriction. Besides this, it seemed that a little trick had been played (he did not mean to say with the concurrence of the chancellor of the exchequer) by omitting, in the property tax act of last year, without noticing the fact, the words "and no longer," to make it appear that the faith of parliament was not pledged to the people with reference to the abandonment of the measure, on the expiration of that act.

The *Chancellor of the Exchequer* admitted it was possible that he might have mistaken the one bill for the other; but he was sure that much discussion took place on the propriety of inserting in the property tax bill the words "and no longer." Many gentlemen must recollect this fact as well as he did.

Mr. *Madocks* rose merely to contradict the assertion, that some inducement had been thrown out to make his constituents sign this petition. This was a groundless statement—it was their own spontaneous act. With respect to the observation, that there was a studied attempt, on the part of gentlemen on that side of the House, to procrastinate, he should only say, that it was owing to the late meeting of parliament, and to the precipitation of ministers, who would not allow a sufficient time for the full consideration of two important subjects—the military establishment, and the property tax.

Mr. *Wynn* said, he did not wish to intrude long upon the time of the House, nor to prevent the resumption of the adjourned debate, which was the order of the day; but he could not refrain from rising to express his regret at the feeling which had been manifested on the other side of the House. He had hoped, that the number of meetings in every part of the kingdom, for the purpose of preparing petitions to be presented to the House against this odious tax would have induced the right hon. gentleman opposite not to bring forward this measure in a way that would make the House shut its ears against the voice of the country. The right hon. gentleman had said, that he had given notice the week before last of his intention to bring forward the measure immediately; and on this was founded an assertion, that there had been sufficient time to consider the subject. But the best proof that sufficient time had not been given, was the fact, that at this moment meetings were advertised in almost every county in England. There were many reasons, too, why, in the present instance, the time afforded was not sufficient for the purpose of the more speedy convention of these meetings. The new sheriffs had only just been appointed:—the county newspapers, those vehicles of information to people in the country, were for the most part published only once at the end of every week, and therefore the disastrous news of the measure which the right hon. gentleman meditated, was yet scarcely known in many remote districts. Surely, therefore, it was but reasonable to beg, that there should be no indecent precipitation in calling upon the House to decide upon the measure. For himself, he would be the last man to support any proposition merely for the sake of delay. But on the present occasion, every faithful representative of the people was bound in duty to his constituents to avail himself of every possible means afforded by the forms of the House, to prevent the proposition from being brought forward on so early a day as Friday next. He regretted very much the nature of the language which had been used towards the country by many members on the other side of the House. Instead of showing a due respect to the opinions of the people, already so unequivocally expressed,—instead of attending to it, what was the language which had been used? Why, a noble lord talked of the "ignorant impatience for the relaxation of taxes." Was this language to be held on such a subject? Another right hon. member on the same side of the House said, that there had been many exaggerations in the representations which had been given of the evils of this tax. When the people for ten years of war had so cheerfully borne the pressure of this grievous tax, was it now to be said that they were "ignorant" of its nature? Were they to be accused of exaggerating its evils when they complained of it as an intolerable burthen? Could any thing more be said of its nature than every man had felt in his own pocket? He regretted the tone which had been assumed on the other side of the House. What was to be thought when a secretary of state talked of the "ignorant impatience" of the people?—when the chancellor of the Exchequer spoke of "exaggerations in representing the evils of the property tax?"—

when the secretary at war said that the House was in "an economical mood?" An economical mood! Was this a phrase fit for such an occasion? The noble lord, too, in speaking of the great question respecting the agricultural distresses of the kingdom, which was to come on in a few days, had called it "the debate on farming." The country had naturally been anxious for the meeting of parliament. What, then, would be thought when it was heard that such expressions had been used in discussing the most vitally important questions; and when, in addition to these, questions were pressed upon the House before they could receive the expression of the sentiments of the people? Such conduct evinced a want of sympathy and mutual feeling between the people and their representatives, which he considered as one of the worst symptoms of the times.

Mr. *Rose* observed, that the expressions which came from the other side of the House were only used in the hope of making some impressions on government. He conceived that any discussion on the property tax was at present premature, because, until the necessities of the country were known, no question could regularly arise as to the way in which they were to be provided for. The details which would enable the House to form its judgment on this subject would soon be in due course presented for their consideration, and then it would be for them to decide as to the means by which the wants of the country were to be provided for. For his own part, he did not see that any better measure could be proposed than a modified continuation of the property tax. If the House approved of the estimates—[Hear, hear! from the opposition]—he stated the case hypothetically, he did not believe it possible to devise any tax which would fall upon the population more generally and more equally. As to the question of the reduction of the establishment, he begged the House to observe, that if it were reduced as low as any man would say was consistent with safety to the country, it would make a difference in the expenditure of somewhere about 600,000*l.* He was aware of the feeling that was against this tax, but he would be glad to hear what the hon. gentleman on the other side would substitute for it. It was perfectly natural that numerous petitions would be presented against it. But it would be found that in those parts of the country where the assessed taxes, or any others, happened to be particularly felt, the people would be found to say that these were worse than the property tax. If this tax were to be given up, it would be necessary to have recourse to some other of a much more grievous nature. There was not a man existing who paid more attention to the feelings and opinions of the people than himself; but with all the respect he felt for them, he knew that there were cases in which it was the duty of ministers, for the sake of the real interests of the nation, to act quite contrary to the wishes of the people, as at the time they might be expressed. With this impression strong on his mind, he implored the House to be patient, and to go to the discussion coolly, deliberately, and temperately.

Mr. *Ponsonby* was sure that there was every disposition on the part of gentlemen on his side of the House to take the advice with which the right hon. gentleman had concluded his speech, and he wished to God that the eloquence of the right hon. gentleman had been as persuasive towards his own friends. But so little was it the case, that the Chancellor of the Exchequer would not agree to put it off even beyond Friday, and this was what he supposed the right hon. gentleman called proceeding patiently. According to the course prescribed by the right hon. gentleman, the House was only first to have the measure passed, and then to allow the people to petition. He would however tell the right hon. gentleman, that this was not proceeding patiently, but ludicrously and ineffectually. The course of proceeding was completely illusory, and could produce no good effect in parliament. But the right hon. gentleman showed that it was his intention to terrify the people. The right hon. gentleman seemed to say, "the chancellor of the exchequer is a more ingenious man than you take him to be; you are acting impatiently,—and if you are so foolish as to throw out this measure of his—if you reject the property tax, you will find that he will come upon you with worse and harder burthens in the shape of taxes;—perhaps you may think that he is not a very persuasive or energetic man in debate, but it is not in this way that you are to judge of his talents—this is not the test of his ingenuity—if you wish to feel his abilities, you must try him in the imposition of taxes." For his own part, he thought there could be no worse tax. He gave the right hon. gentleman credit for his desire to defend the conduct of his friend the chancellor of the exchequer, but in defending his mistake, he had been led into one of his own.

Mr. *Rose* had no wish to prevent the expression of the sentiments of the people from reaching the House.

Mr. *Brougham* only wished to state that, having attended to the debate during the evening, he was more and more fortified in the resolution which he had expressed early in the evening as to the line he meant to pursue, if the chancellor of the exchequer was resolved to persist in his course. He was sensible that a few days delay must prove fatal to the tax. Indeed, so great was the alarm on the other side of the House, that they now began to have recourse to the desperate expedient of saying, that if this tax were rejected there was something much more dreadful in store: that if they were already afraid of the chancellor of the exchequer's little finger, and refused to bear it, he would make them feel the weight of his whole hand.

Mr. *Addington* remarked on the loud tone in which imputations without foundation had been brought forward against the chancellor of the exchequer, who, it had been pretended, wished to stifle the voice of the people, because he persevered in bringing forward his motion. To the hon. gentlemen who said so, he begged to observe, that the House had now been sitting nearly a month, and that he himself had repeatedly, since the commencement of the session, heard his right hon. friend say in the House, that he meant to persevere in the property tax; and the first time that he had heard him say so was on the very day the session commenced. Nay, he recollected, that when on that day he for the first time mentioned it to the House, he had almost gone out of his way to do so. What, then, was to be thought of those who preferred such unfounded charges? Again, as to what had been said of a pledge being given for the non-continuance of this tax, he could only say, that he never heard any such pledge, and foolish indeed must that minister have been who would have attempted to give any such pledge. But there was no such thing. It was all a groundless, unfounded assertion. As to the expression of "ignorant impatience," imputed to a noble lord, whom he was very sorry not to see in his place, he had not himself heard the expression used by the noble lord, nor had he met with any gentlemen on his side of the House, who had heard it used. He wished the noble lord was present, to state to the House what the fact was; but this he would venture to say, that the phrase had never been used in the sense in which it was noticed. He was sure the other side of the House would give them credit for participating in an equal degree in feeling for the distresses of the country; but they seemed to advance that the chancellor of the exchequer felt a malicious delight in inflicting on the people the most oppressive modes of taxation; he was certain, however, that no man would be more sensibly delighted than his right hon. friend, at having it in his power to lessen the burthens of the people.

Mr. *Fremantle* said, it was not till the notice had been given that the principle of the property-tax was to be brought before the House for their decision on Friday next, that the charge of a wish to stifle the voice of the people was urged on his side of the House. The right hon. the chancellor of the exchequer had been told of the precedent of the property-tax bill having been first passed in the month of August, while its operation was carried back to the month of April; and when he did not reply to that, and still persisted in bringing forward this most important question on such an early day, they were justly entitled to charge him with precipitation, and a wish to stifle the voice of the people. With regard to what had been stated by the chancellor of the exchequer as to the termination of the tax, he would put it to the sense of the House, when that tax was agreed to by them last year, whether they had not a full understanding that they would be able to justify that tax to the country from its terminating with the war? Could he believe that the chancellor of the exchequer, because the words "and no longer" had been omitted, would shuffle in this manner with the people, and misrepresent what was the feeling of the House? They had renewed the tax because a danger existed, which called for exertions that could be met by no other means. Let them not attempt to deceive the people. He was sure the chancellor of the exchequer was above this. He called on any gentleman over the way, to say that he believed the property tax was to be continued in a time of peace. With respect to another phrase, which a noble lord (Castlereagh) was stated to have used, and which the right hon. gentleman who spoke last said he had never heard, namely, the "ignorant impatience of the people with respect to taxation," would that right hon. gentleman presume to say that the noble lord had not made use of the expression? The right hon. gentleman might not have heard it—he was sure he had not heard it, as he said so—but he would call on the colleagues of the noble lord, to say if the expression in question had not been uttered by him? He declared that he had heard him utter it; and that it was a cool and premeditated phrase, which did not escape the noble lord in an unguarded moment, or in the heat of argument, but at a time when he had sufficient leisure to weigh the force of his words, and when he was taunting gentlemen on this side of the House with the zeal which they were displaying in the exercise of their duty as guardians of the public purse; and therefore they had a right to charge the noble lord with the deliberate use of language injurious to the public feeling. The right hon. gentleman on the floor (Mr. Rose) had told them, that he disapproved of the discussion of the question of the property tax at present, because it was premature. Why, they were now receiving petitions from every part of the country, complaining of the distresses under which they were labouring from this very tax, and imploring the interference of the House; and yet the right hon. gentleman, who was old in parliament and knowing in all parliamentary practice, chose to tell them that they could not with propriety consider these petitions now—that the petitioners ought to wait till the bill was passed, and that then their representatives might tell them, that the House had considered the question, but that they had not taken their view of the question. The right hon. gentleman had told them, that if the property tax was put by they must have some other, because if they had not that tax the establishment could not be kept up. He fixed, therefore, the establishments of the country on the question of the property tax [Cries of Hear, and No!] The right hon. gentleman said No. Why, he had allowed, that the establishments were to be of such magnitude, that if the property tax should be put by, some other of equal amount must be found to supply its place. The chancellor of the exchequer was now proposing to levy in a time of profound peace, 70 millions of taxes from the people of this country. There had been levied during the most extravagantly expensive war which had ever been carried on by this country, only six millions more of taxes, which six millions were to constitute the only difference between war and peace. This was the return to the people of this country, for the patriotism which they had displayed during the most extraordinary contest that had ever been maintained by any country—a reduction merely to the amount of six millions. The noble lord had quoted some nights ago, an opinion said to have been expressed by the late Mr. Pitt, and had talked of his feeling with regard to the establishments of the country, in 1793, the lowness of which he had deplored. The noble lord might quote the opinions of Mr. Pitt; he could not deny them; but he could answer, that those who knew Mr. Pitt, as well as the noble lord, and who had been as much consulted by him, assured him, that however much in the last year of his life, from the extraordinary and most unfortunate turn which the war then took, he might deplore the insufficiency of the establishments of the country to meet the danger, he had never ceased to applaud the economical arrangements which he had made from 1786 to 1793. This was what he had been given to understand from those who knew Mr. Pitt as well as the noble lord or the right hon. gentleman. He approved of the determination of an hon. and learned gentleman, who had stated that he felt himself called on to throw every difficulty in the way of the precipitation of this question. No man would accuse him of factious views in his opposition to the government; but he thought he might conscientiously act up to that principle, and he would so do.

Mr. *Rose*, in explanation, maintained, that he had not said the property tax was necessary on account of the estimates. What he had said was, that the estimates were yet to be considered, as to which, he had pronounced no opinion; and that if the estimates should be adopted, it would be necessary to find, either in the property tax or some other, so large a sum of money as would cover them.

Lord *Binning* said, that nothing in the course which the gentlemen on the other side of the House were pursuing in the least surprised him, after the knowledge they had taken care to give of the system on which they acted. The heaviest accusations, the most unfavourable representations of the motives and measures of government, were so much within their usual practice, were so much their stock in trade, as he might express it, that he thought any appeal to their candour would be useless, and any explanation perfectly ineffectual. He therefore would make no such appeal, but would merely endeavour to correct their statements in a few things which he thought essential in the present discussion. His hon. friend who spoke last had appealed to the recollection of the members of the House, whether the chancellor of the exchequer had not distinctly stated, that the property tax, when renewed last year, was to continue only for one year, and had given a pledge that, at the end of that period, it would be abolished? He desired them to tax their memories, and gave the evidence of his own in favour of the pledge. He (lord B.), with all his powers of recollection, could recall no such saying, and was of opinion, that there must have been some mistake in interpreting what fell from his right hon. friend on that occasion. He did not believe, that as circumstances then stood, such a pledge could be given, consistently with any degree of political prudence or common calculation of probabilities. His hon. friend had accused the chancellor of the exchequer of endeavouring, by the rapidity with which he pressed the discussion of the property tax to stifle the public voice, and prevent the people from laying their petitions before parliament. This was an accusation that was always brought when taxes were in question. There was not an impost against the continuance of which, petitions would not be presented, if any prospect was entertained that they would be effectual; and whenever they were resisted, the charge of stifling the voice of the people might be brought against government. The noble lord contended, that there was no intention at present to stifle the voice of the people, nor did he believe that the attempt would be practicable if it were made. So far from wishing to press matters with an unjustifiable degree of precipitation, and to deprive the country of an opportunity of expressing its sentiments, his right hon. friend had allowed ample time for the most deliberate expression of its wishes and opinions. What was his conduct? On the first night of the session he had declared his intention of proposing a renewal of the property tax. The people had now enjoyed about a month to discuss the measures they felt themselves called upon to pursue—to meet, to deliberate, and to petition the legislature. How long a period would be required, if this was not sufficient? What government measures could be carried into execution, if we were to wait with the avowed purpose of allowing time for the marshalling of all the opposition, however tardy, that might be made to them? Adverting to the observations made by Mr. Freemantle on what fell from Mr. Rose, he said that gentlemen ought to be allowed to explain their own meaning; and that, when that privilege was granted to his right hon. friend, his opinions would be found perfectly tenable. His right hon. friend, had stated, that if the property tax was not renewed or continued, it might be found necessary to raise the supplies which it was calculated to yield, from sources not less objectionable than a tax upon income. A clamour was here raised, as if this opinion conveyed a monstrous and alarming proposition. Notwithstanding that clamour, he was prepared to contend, that a revenue equal to the proposed modification of the property tax must be raised; and the question was, whether we should resort to it, or whether we could find any substitute less burthensome or oppressive? There was no threat conveyed in this alternative beyond what was heard last year, when nearly the same identical expressions were employed by his right hon. friend the chancellor of the exchequer.

Mr. *Wynn* explained. Under correction of the chair, he stated, that if the resolution for the continuance of the property tax was agreed to on Friday, it would be impossible after that day for the House, consistently with parliamentary usage, to receive any petitions against the tax. The noble lord did not seem to understand that this was what he (Mr. Wynn) alluded to, when he complained that the measure would be indecently hurried if brought forward on Friday, as it would be impossible for the numerous petitions now preparing against the tax, to be presented before that time.

Mr. *Baring* contended, that sufficient time was not allowed for the full expression of the sentiments of the country on this odious and oppressive tax. Numerous meetings were called, and numerous petitions were preparing to be presented to the legislature, the object of which would be defeated by the precipitate course which the ministers wished to pursue. It had been again and again repeated in that House, that the chancellor of the exchequer had declared his intention, at an early period of the session, to propose a renewal of the property tax. This alarming intelligence, he allowed, was given by the right hon. gentleman at the time specified by his friends, but he was following the annunciation of the obnoxious measure too rapidly with its accomplishment to allow the sentiments of the people to be collected and laid before the legislature against it. The chancellor of the exchequer had expressed his intention and his opinion; and all that he (Mr. B.) now contended for was, that the country might have an opportunity of expressing its sentiments and prayer. He would contend for the propriety of the construction put on the words of the right hon. treasurer of the navy by Mr. Freemantle. He was not prepared to allow the dilemma to which the hon. gentleman on the other side attempted to drive him, of either voting the reduction of our establishments, or the renewal of the property-tax. These establishments, he hoped, would not meet with the sanction of parliament; but supposing they did, he would maintain, that there was no necessary connexion, even upon the chancellor of the exchequer's own showing, between them and the obnoxious tax. If our finances were in as flourishing a condition as the right hon. gentleman represented them to be, and if, as he gave out, he meant to propose the continuance of the property tax for a period of only two years, then some other substitute might be found; a loan might be resorted to, or some other scheme adopted, less odious to the country, and less injurious to its resources than the tax in question. All these things, however, remained for future consideration, and would be decided upon more properly, after the discussion upon the estimates, and in the committee of ways and means. What he had now in view was, to show, that there was every reason for delay till the petitions of the people should have time to reach the table of the House, and no reason for the precipitate course proposed by ministers. What valid argument had been offered against a short delay? The only one that at first sight seemed to have any force was, that the act by which the tax was raised was about to expire. This was satisfactorily answered, and shown to be unfounded, by a right hon. friend of his, who stated, that the act for imposing it was not passed till the beginning of August. The act had a retrospective effect from the 5th of April in the same year, and consequently, as the same course might be again pursued, there could no danger or inconvenience result from the delay demanded. The chancellor of the exchequer came out with a notable discovery to the House in the course of the present debate. He informed the House, that in the last act the words "and no longer," which were inserted in the two former acts, were omitted, and he took great credit to himself for the cunning device by which he was enabled to rebut the charge of a breach of faith to the public, and gave all the advantages of it to the government. His friends likewise supported and commended this wise policy, of which the House was ignorant until the present evening. But this was not all the information that had been gathered from the right hon. gentleman's speech in the course of this debate. He had mentioned, that he meant to propose the property tax for two years, and to be then abolished, if no necessity should exist for its continuance to a further term. It might easily be conjectured what ministers would declare a case of necessity, and consequently what circumstances would entail upon us this tax as a permanent source of revenue. When ministers spoke of the wealth and happiness of the country, they could only refer to that small portion of it to which their own travels extended. He admitted that all might be smiling between London and Brighton: that there might be no signs of distress, and no necessity of retrenchment felt in certain quarters; but this did not prove that the petitions on the table were without foundation, or that there were no grievances to be redressed in the other parts of the country. On these grounds, he thought further time necessary than could be obtained by fixing Friday for the discussion of the ways and means.

Mr. *Wallace* said, it was in vain to talk of the voice of the people being stifled, as there were so many other ways in which their sentiments might be expressed, besides petitions to the House. But whatever objection there might be to bring on the question of the property tax on a particular day, it was impossible to say that any pledge had been given by ministers as to the discontinuance of the tax; for his own part he heard no such pledge. He did, indeed, recollect that when the bill was brought in, the tax was imposed only for a single year, and it had been expressly stated that this was done for this reason, that if the renewal of the tax was again thought expedient, parliament might have an opportunity of exercising its discretion on the subject. He thought there could not be a more unobjectionable tax. It was evident, that if the property tax were abandoned, another, and probably a more oppressive one, would be substituted in its place.

Sir *James Mackintosh* said, the right hon. gentleman had assumed an assertion made by a noble lord last night (Palmerston), as a fact incapable of contradiction, namely, that the proposed establishments could admit of no reduction to a greater amount than 600,000*l.* This assertion of the noble lord had not been contradicted, merely because no one had had an opportunity, from the adjournment of the debate immediately afterwards, of contradicting it; but the assertion would be contradicted and deprived of all authority as soon as examined. The connexion between the establishment and the continuance of the property-tax had not been stated on his side of the House; it had been stated by the treasurer of the navy; for what was the language of the right hon. gentleman? His language was, that if the House adopted the establishment, the country must have an income tax, or a tax of equal amount in the room of it—[Hear, hear!] Could any thing be more clear than that this was a connexion between the establishment and the income tax? Was it not a statement of the treasurer of the navy, that if the establishment was adopted, the House could only escape from the income tax by having recourse to still more grievous taxes? His statement was, that we must either have the income tax or worse. The right hon. gentleman had professed infinite respect for the opinion of the people, provided that opinion should be postponed till it was useless—till it could have no effect whatever on the debates of parliament—[Hear, hear!] He did not wish to derogate from the rights of the House, or to say that every indication of the will of the people was to be imperative on them. He did not mean to say there might not be times and occasions when they were bound to thwart the will of the people; but this he would say, that he had never before heard it maintained that the House were not bound to ascertain that will: that the opinions of the people were a matter of perfect insignificance; and that they were bound to proceed with the question without caring what that opinion might be—[Hear, hear!] He heard the right hon. gentleman now say—"no—directly the contrary." As by the rules of the House the right hon. gentleman could not be so audible at the present moment as himself, he would undertake the task of being his reporter, and in doing so he entitled himself to some thanks from those of the House who might not hear with the same distinctness as he did, this interlocutory interruption of "directly the contrary"—a use of words on the part of that right hon. gentleman altogether unknown to him. Almost the whole of England was called to deliver their opinions on this subject within seven or eight days. In that state of things the chancellor of the exchequer proposed proceeding with the property tax on Friday next, which would render it impossible for any part of the country to express their opinion afterwards to any practical purpose, because the House would then be pledged to the principle of the property-tax. The House could not fail to see that this was virtually depriving the people of the right of petitioning, an opposition as to the exercise of which right had been the cause of the revolution, but which had been discovered in the new philosophy of the right hon. gentleman to be a matter of insignificance. But though the people could not petition, they might, according to the right hon. gentleman, write a paragraph in some newspaper or other—for these were the only substitutes left by the right hon. gentleman. This was the substitute which he proposed for a privilege which had been held of such importance by our forefathers, and justly regarded by them as one of the bulwarks of the constitution. He had heard in worse times than the present, times which might again occur, times of servility, of a blind acquiescence on the part of great majorities of the House in whatever came from the treasury bench. Sir James then alluded to the strange circumstance, that none of the gentlemen opposite had heard the noble secretary's contemptuous expression of the popular anxiety for a relaxation of taxes. The right hon. gentleman on that bench had, he said, been stricken with deafness, a deafness which he seemed to share with all the noble and honourable friends by whom he was surrounded—all of them seemed to be seized with the same contagious malady. He had often heard of men being required to sacrifice their understanding to others, but this was the first time he had ever heard that men in official situations, were required to make a sacrifice of their outward senses —[A laugh].

The petition was then brought up and read, and ordered to lie on the table.

Army Estimates — resumed Debate.] The order of the day being read for resuming the adjourned debate upon the motion made yesterday, " That the several estimates relating to army services, which were presented to the House upon the 19th day of this instant February, by lord viscount Palmerston, and upon Thursday last by Mr. Peel, be referred to the committee of the whole House, to whom it is referred to consider further of the supply granted to his majesty," the House resumed the said adjourned debate.

Mr. *J. P. Grant* said, he had never addressed himself on any question to the House with the same emotion as that which he at present felt. The question was neither more nor less than whether the House would sanction the introduction into the country of a military government and a large establishment. He should not go into minute details on the question, because he would not offer such an insult to his understanding, as to suppose it could be established by any satisfactory proofs, that the proposed establishment was necessary [some laughing on the ministerial side of the House]. The gentlemen opposite him might have spared their mirth on such a question; they must suppose that the members on that side of the House were destitute of all knowledge and experience not to know that the maintenance of an enormous army was inconsistent with the constitution of the country. During the last century, the peace establishment had seldom exceeded 30,000 men, and before the last century it had been much smaller, never had it exceeded 50,000 men, and now it was matter of derision that an attempt to treble that establishment should on principle be objected to. Yet, with our former moderate establishments had we defied our foes, and risen to the rank in Europe which we now enjoyed, and which, with the same establishment, we might still maintain. If he accompanied the gentlemen opposite into some details, the case would be found to press still more strongly against them. It was now proposed to maintain 53,000 men in Great Britain and Ireland, while the utmost which at former times had been maintained in these islands was 33,000. This gave an increase of two thirds beyond the utmost amount of force formerly kept up; and yet it was matter of derision to say, that this case was evident without details! Our colonies, it was true, had been increased from 17 to 24; but it was impossible that an addition of one-third to our colonies could have been the cause of the enormous increase proposed, unless some other means of our defence could be stated to have failed us on the sudden. The House was told that it could not admit the proposition that the force in question could be used against the people. In arguing a constitutional question, it was not necessary to go into invidious and personal discussions; but he should protest against reposing a confidence which the constitution denied; and should not be content to look for the security of our liberties either in the forbearance of the ministry, or the character of the soldiery. It was the business of the House to look that whatever might be the disposition of the ministry, they might not possess power which might be employed in a manner hostile to the constitution. It was now a question of respect to precedents, and of maintaining or breaking down barriers which had been held sacred, and that not by small degrees. This was a new era, in which we were advancing rapidly in innovation, and if the proposition of the ministry were agreed to, the House would give its consent to adopt as its models the despotic powers on the continent. It was no palliation of the measure to say that the establishment was voted for one year, and that next year it might be withheld. A military force had always been voted in this way, and the present establishment would not on that account be less permanent. He would not vest a power in the Crown in the hope of reducing it at some future time, but should oppose, as far as his power went, an attempt to justify by necessity that which no necessity could justify. If a peace establishment, two-thirds greater than any former one, were now voted on the plea of necessity, it might be again doubled on the same plea. He therefore could not consent to refer the estimates in their present shape to the committee, because no details could justify an infraction of the constitution. Of the course which we had hitherto pursued, of our victories and the splendor of our name, was this the result, in return for all we had done and suffered, that our safety as a nation could not be preserved, without sacrificing the liberties of the people? for who could suppose that our liberties could be preserved, when, within two or three hundred miles of the capital, there were 80 or 90,000 men at the disposal of the Crown? As to the force in France, it was said that this force was justified by the treaty which had been approved of. He was not present at the discussion of those treaties, and was therefore not precluded from opposing that part of the estimates. The stipulation for the maintenance of an armed force in France, was impolitic with regard to the interests of the family established on the throne of France and of this country, and prejudicial to the balance of power in Europe. He had not believed that it would have been ventured by any minister to establish the family of the Bourbons on the throne of France in opposition to the wishes of the people. This, however, had not only been done, but formed the foundation of the whole policy of the administration. But if we were bound to keep the Bourbons on the throne by arms, it would be better, as well with a view to economy as on other more important grounds, to withdraw our own countrymen and replace them with foreign troops. It was not a fit employment for the British soldiers who had fought at Waterloo to support in France a king imposed on that nation, to act as police officers in France, to qualify them for acting as police officers in England. As to Ireland, he deeply regretted that the state of that country required the presence of an armed force, and was convinced that it was by civil and not by military measures that that country was to be tranquillized. If Ireland was governed as it ought to be governed, it would become our strongest defence instead of being a source of weakness; but even now it remained to be proved that 25,000 men were absolutely necessary to preserve tranquillity. But even if a large force was necessary in Ireland, was the same force necessary in England, unless some horrible and unseen source of disturbance was rankling in some quarter of the island? But the House was filled with individuals from every part of the kingdom, who could say from their own experience that no such force was necessary? It had been said that our arsenals had increased. Certainly, they contained more lumber, and had larger walls in some instances. It had been said, too, that our population had increased, and that the great strength of the militia and volunteers, and the military spirit of the country, rendered a larger standing army necessary to defend it. If, indeed, our constitution had been formed on the model of the despotic governments of the continent, in which an armed force was the foundation and the organ of the monarchy, an increase of the people would render an increase necessary of the force which was to keep them in subjection; but in England an increase of our numbers and of the pervading military spirit was nothing but an increase of strength, and a sufficient reason for the reduction of our standing armies. It had been said, that the frontiers of our colonies had been extended. Was the frontier of England extended, that the force to be kept in this country exceeded by one half that of 1791? this, too, at a time when a friendly family was on the throne of France—when the man was a prisoner to whose talents such a compliment was paid by the government of this country, in the war directed against him alone? In this tremendous compliment, great as he thought the military talents of that man; he had never been disposed to concur, and had blushed to hear it asserted, that the destruction of that man was a sufficient ground for plunging this country into a war. But that man was now in our custody, and we were bound in close and firm league with all the continental powers. If all this was true, why should not our peace establishment be smaller than at any former period? and if it was not true, why did the ministers take merit to themselves, that we were reduced to such a state, that a force was necessary, which would be fatal to British liberty, and would beggar the people? This was the amount of their services, this was the acme of their glory! The high praise they had claimed was not due to them, or the estimates were wrong. He cared not which branch of the dilemma they made choice of, but he would implore gentlemen, of whatever party, seriously to consider whether the establishments were absolutely necessary—whether they could consent to declare that all their ancestors were possessed with vain apprehensions as to the nature of a military force, and had sacrificed themselves as fools to oppose it—that all we knew of past times was folly, and that the true system of polity was a military despotism of which they were then called on to lay a broad, deep, and firm foundation. They should consider that on the one hand the utmost loss to be apprehended, was some paltry island or some unimportant garrison—on the other hand, the destruction of our constitution was inevitable; they should consider that under our former system we had held the balance of power, and still might hold it—that we owed our predominance to the unconquered spirit of our people; and not to calculations of our comparative force with that of the powers of the continent. If we were determined to limp in the rear of great military powers, we might provoke their contempt, but we could not fairly copy them, even if we consented to forego all the security derived from that constitution, which was so firmly fixed in the hearts of the nation.

Mr. *Yorke*, in explanation, denied that he had argued on the necessity of an increased peace establishment in consequence of an increased population. He had merely asserted, that the constitutional danger of a standing army was considerably lessened, when counterbalanced by a numerous and martial people.

Mr. *Robinson* expressed his entire concurrence in the sentiments advanced by gentlemen on the opposite side, respecting the propriety of a constitutional jealousy constantly existing in that House. The question, however, was, how far that jealousy should proceed? The hon. gentlemen opposite had admitted the necessity of some military establishment; consequently there was no difference in principle, and the House were driven to the question of degree. It was strange, therefore, that the hon. gentleman who spoke last should declare that he would not listen to any arguments on the subject. It was admitted that Ireland should have some military force, but still the detail necessarily connected with that subject was avoided. This conduct manifested a great inconsistency; but, perhaps, it was also prudent; for the hon. gentlemen, knowing that on the detail rested the essence of the question, were well aware, that if they once entered upon it, they must be routed horse and foot. But while they avoided directly the question of degree, they evinced no hesitation in referring to former peace establishments; it therefore remained for the House to compare the present with them, as it was for that purpose they were ordered by the gentlemen opposite. They were fond of dwelling on the peace establishment of 1791, and they likewise assumed the fact, that the establishment now proposed was permanent. When the establishment in 1791 was proposed, peace had been concluded for seven years; and in assuming that 149,000 men were to be continued permanently, they forgot that the 30,000 in France must be deducted, and also the 20,000 in India, for the pacification of that country did not depend on the same circumstances that restored Europe to tranquillity. Thus, then, 50,000 men were to be deducted from what had been called a permanent peace establishment. The question, therefore, rested solely on the propriety of keeping up the remaining 99,000 men. The 25,000 destined for the service of Great Britain were represented as within 5 or 6,000 of the entire establishment of 1791; but where the information that could warrant such an assertion was derived, he could not imagine, as the returns laid on the table of the House stated the establishment of 1791 at 48,000 men, of whom 17,000 were for Great Britain, and 15,000 for Ireland. The declaration made on a former occasion by his noble friend (lord Castlereagh), seemed to have been altogether forgotten. It was then stated, that the troops at home must ever bear a great proportion to those in the colonies, both for the sake of rotation and supply, and that the number of troops kept floating for the reliefs amounted to 6,000 men. An hon. and learned member (Mr. Brougham) had on the former night of this discussion treated with great contempt the idea of keeping up an increased force for the guards and garrisons of our increased arsenals, observing, with more brilliancy than judgment, that larger establishments of that nature did not require more men to guard them. Independent, however, of the inconsistency of saying, that an arsenal of some miles in circumference could be protected by the same number as one of only a few furlongs, the House was to be informed, that the arsenals and dockyards had not only increased in extent, but become more numerous. The number and extent of these were certainly fit subjects for parliamentary control, and how could they be better ascertained than when the House should resolve itself into a committee? Many reflections had been cast on ministers, for their motives in increasing the army of the country, and it had been intimated, that their designs were hostile to the constitution. He warmly deprecated such an ungenerous, unfair supposition, and declared, that, for his part, if he could for a moment entertain such a suspicion of the designs of the ministers, he would no longer act with them. He freed from misrepresentation an assertion advanced on the former night, respecting the defence required for Canada. He observed, that Canada, by increased cultivation and good roads, gave the enemy a great facility of invasion, and consequently required increased means of defence. He said, he would go as far as any one in that House in commendation of our constitution. He would freely acknowledge, that to it might be attributed our own safety and that of Europe, and to nothing else; but he likewise felt a conviction, that the people of England, who invariably judged right after the mists of prejudice had time to dispel, would not deny the necessity of the present measure, and would not in consequence of it, consider the ministers as enemies of the constitution.

Mr. *Fremantle* observed, that there were two questions which it was material to consider upon this occasion; first, whether the proposed establishment was necessary and consistent with our constitutional habits; and, secondly, whether the means of the country were competent to defray the expenses of such an establishment. As to the first, he entirely concurred with what had been already said by several gentlemen upon his side of the House; and as to the second, he recommended the precedent of 1786. Upon that occasion Mr. Pitt proposed a committee to inquire into the revenue and resources of the country, conceiving it necessary to ascertain their actual situation before a peace establishment was fixed. When the amount of the establishment then determined upon was taken into consideration, it was surely proper to adopt a similar proceeding of inquiry, as to our means, before an establishment was voted so comparatively enormous as that of 150,000 men. It was, however, said, that this establishment was only meant to be temporary. But recollecting what the secretary of war had stated as to the necessity of the force proposed to garrison our colonies, and to protect our works at home, coupled with the declaration of the noble secretary for foreign affairs, that until the continental powers should lay down their military habits, and allow the civil authority to resume its due influence, a large military force was essential to our security, Mr. Fremantle said, he must consider the force under consideration as our permanent establishment. Now with respect to our means for supporting such an establishment, the House had that night heard quite enough as to the state of the country, from the petitions presented against the property tax. Yet it was alleged by gentlemen on the other side, that if the property tax were repealed, other taxes must be substituted; and this allegation was repeated, notwithstanding the undeniable distresses of the country, because, truly, as these gentlemen stated, the proposed establishment of 150,000 men was necessary to our safety. But upon the plea of necessity, he fully agreed with what had fallen from an hon. member behind him (sir F. Burdett), namely, that the idea of necessity depended upon the peculiar conception of our own minds. For himself, he was ready to declare, that he saw no necessity for the existence of an increased military force in this country at present. If it were pretended that this necessity arose out of the military character of the continental powers, he would ask, whether those powers, Russia, or Prussia, or Austria had not been always of a military character; consequently, the alleged necessity could not be created by any change in those powers, while France having become less military than at any former period, the necessity of maintaining an increased military force in this country was rather reduced than augmented by existing circumstances. Indeed, if the pacific disposition of the principal continental powers could be so confidently relied upon, as the noble secretary for foreign affairs alleged, he could see no ground whatever for the pretence of necessity to incumber this country with the expense of twenty-nine millions, to maintain a peace establishment. But the whole of our expense during peace, was, it appeared, to be no less than nearly seventy millions per annum; and he would appeal to any considerate man whether the country was capable of sustaining such an enormous expenditure; nay, whether it would be fair at the close of a war of such unexampled duration, to relieve the nation from only six millions of taxes, and to saddle it with a peace establishment far exceeding that which it was called upon to defray within the most expensive year of the American war. Would it not, then, be common justice at least, before such an extraordinary measure was determined upon, to imitate the example of Mr. Pitt in 1786, by proposing a committee to inquire whether the country were able to bear it? If that inquiry were instituted, it would be found, that all our establishments were on a war footing, and that peace being restored, many millions might be saved in retrenchments. It would be found, in fact, that the military establishments of this country were much more expensive than those of any country in Europe, especially in the arrangements with regard to the pay of the army. For there were no less than five or six establishments through which that pay passed, before it reached the hands of the soldier. Would it not, then, be expedient to have those establishments reduced, and the whole business managed by one? The change was, he understood, very easily practicable, and it was the more necessary, as he was assured that the present mode of paying the army, cost the country more than the bank of England charged for paying all the dividends upon the national debt. Now, as to the expense of garrisoning the colonies, he should like to know, whether some of these colonies should not themselves be called upon to defray that expense? For instance, the Cape of Good Hope, Malta, and Ceylon, were fully competent to pay their own military, as well as civil establishments. The capability of those colonies could not indeed be doubted by any one who considered the nature of their trade, and the amount of their exports and imports. But the secretary at war had besides stated, that the colonists of Jamaica had themselves expressed a readiness to maintain their own military establishment. Upon what ground, then, was this country to be encumbered with the maintenance of such establishments, while that incumbrance was so much to be deprecated, considering the amount of taxes which had been levied upon us during the continuance of the late war? That amount had been actually no less than 1033 millions, which added to loans and exchequer bills, formed a total of 1750 millions for the public expenditure within the war. After such an extent of expenditure—after all the sacrifices and privations to which the country had submitted throughout the war—he called upon the House to consider the propriety of affording it every practicable relief now that peace was restored, instead of encumbering it with an annual, and he would repeat it a permanent expenditure of seventy millions, especially instead of voting for an unnecessary extravagant military establishment.

Lord *Binning* said, that if the savings to which the hon. gentleman adverted were really practicable, that furnished an additional reason for going into the proposed committee, with a view to consider the subject. An hon. and learned member (Mr. J. P. Grant) had exhorted gentlemen to suppress all party feelings, and to decide upon this great question according to its real merits; and he concurred in that exhortation. The proposed establishment was not at all, in his mind, to be viewed, as the gentlemen on the other side had looked at it, especially on constitutional grounds: for it was merely a question of time and circumstances. To the constitution, indeed, it appeared to him quite chimerical to apprehend any danger from the proposed increase of our military force beyond that mentioned at former periods, which bore no analogy to the circumstances of the present day. The gentlemen on the other side had therefore gained nothing by their comparisons. For who could conceive it dangerous to the constitution, or beyond the necessity of the case, to fix our peace establishment for Great Britain at 25,000 men, while that of 1792 amounted to 17,000? But he would now appeal to the House, whether it would be consistent with common policy at once to reduce our military establishment before the peace was consolidated? Such a reduction would indeed be tantamount to a confession of our weakness, and serve to diminish the idea of our rank and importance in the eyes of continental nations. As to the retrenching of our new colonies, that point ought to be decided according to their value, and not with a reference to the present question. We were justified in increasing the troops in the West Indies in consequence of the existence of a great Black empire, and in

Canada, on account of the situation of the United States.

Sir *Robert Heron* agreed with the right hon. gentleman (Mr. Robinson), who had supported his views with no inconsiderable ability, that this was only a question of degree. For no one would contend that we should have no standing army whatever; but there was a considerable difference between the amount of force which the circumstances of the country appeared to require, and that now proposed. But while he agreed with the right hon. gentleman, he was quite at issue with the noble lord who spoke last, and who professed to think that the proposed military establishment was in no degree calculated to endanger the constitution and liberties of the people; for it was from a strong impression of that danger that he felt it his duty to oppose the principle and developement of the measure which ministers announced their intention to press upon the House. He could not see the propriety of entering into the details of such a measure, convinced as he was that the country was unable to defray the expense of supporting it. The fact was, that the country could not pay the taxes, as appeared from the petitions on the table; and therefore, if it were attempted to enforce their payment, the utmost variety of oppression and distress must ensue, and the final result would be national bankruptcy. If indeed, after the country had been so distressed and drained by the war, the proposed establishment was persisted in, and a new war should occur, he was quite as ignorant, as he presumed the chanchellor of the exchequer himself, how it could be possible to raise 200 millions to defray the expense of it for two or three campaigns. He firmly believed, that the most sanguine man in the country could not calculate upon our capacity to do so. As to the question of the noble lord, whether we should have any connexion with the continent, he had no hesitation in answering in the affirmative; but then he would be an advocate for that sort of connexion which our ancestors maintained at the revolution; namely, a connexion calculated to preserve our own liberty, and to promote the happiness of other nations. On no occasion, however, would he plead for any alliance with foreign despots, tending to endanger our liberties at home, or to prevent other people from making any effort to assert their rights. Against such an alliance he, as a friend to the principles of general justice and the British constitution, should be ever forward to protest; and therefore he deprecated the character of our present connexion with the continental powers. But it appeared that since the battle of Waterloo the objects of our government had undergone a great change. The restoration of the Bourbons to the throne of France, without any regard to the wishes of the people, was, it now turned out, the object of the war; although that object was, at the outset, distinctly disavowed, especially by the noble secretary for foreign affairs, who was the most conspicuous advocate for the new morality, which was to be supported by the alliance of despots, who pleaded so earnestly for that system, which, to use the "mere jargon of modern philosophy," for such was the language applied by the noble lord to the sovereignty of the people, which was in fact the only legitimate source of government, and the main foundation of a free state, as all great statesmen maintained, who held that all power was derived immediately or ultimately from the people, as our own revolution demonstrated—The phrase, then, of the noble lord, "the mere jargon of modern philosophy," was much more applicable to the noble lord's favourite doctrine with regard to that legitimate right of kings, of which lord Wellington was, it seemed, the chief constable, and the noble lord himself the gentleman usher. But still the noble lord could occasionally relax in his adherence to this doctrine when it suited his views. For instance, he could dispense with it when he wished to depress the king of Saxony, while he strenuously maintained it in favour of the "beloved Ferdinand," when he desired to preserve an alliance with despots and their odious institutions. Yet he would ask, what advantage this country derived from that alliance? What had these despots done for us? They had done, truly, what the noble lord desired, for they had accepted our money to fight for their own defence—they had contended against their own enemy at our expense. And who could doubt that such sovereigns would accept British money to furnish any one of their subjects with arms, accoutrements, and pay? Such, indeed, had been the disposition evinced towards us by our magnanimous and most rapacious allies [a laugh, and hear, hear!]—by the peculiar favourites of the noble lord. These allies had, in fact, according to the papers before the House, been supplied from the purse of England with 11*l.* 2*s.* per man, whether absent or present, lost or found, dead or alive. Nay, these allies had been supplied with our money to defray the expense of their armies, not only on their march to meet the enemy, but on their return home, while they were favoured with the first fruits of the contributions levied in France. Such was the liberality of the noble lord, and such the manner in which his allies accepted his bounty. But the liberality of the noble lord went farther. For none of those allies were ever called upon to return any part of the loans they had obtained from this country. Nay, not a hint was thrown out upon the subject. It seemed, on the noble lord's view, that this nation of shopkeepers was not to attempt to dun its magnificent allies—that even shopkeepers upon the verge of bankruptcy were not to presume to apply for the payment of old debts. Such was the noble lord's course of policy to cement the grand alliance! Yet the seeds of dissention were sown among the allies, and were too likely to ripen into hostilities. The private character of those allies was a topic not unworthy of consideration. Perhaps indeed, he should rather say their political character, for the private character of the emperor Alexander, when in this country, was such as to procure him the esteem and admiration of every one. That same Alexander, however, swore upon an altar or tomb at Berlin, and invoked the manes of the great Frederic, to witness his oath of eternal enmity against all the enemies of his successor. The next time the successor of the great Frederic heard of his imperial majesty, was as an enemy, who did not hesitate to accept a portion of his dominions, as an indemnification for his hostility. After that, he leagued himself with Prussia against Austria, and very kindly consented to accept also a portion of her territory to augment his own. Soon after, he formed another alliance with his old friends or enemies, (for he did not know which to call them) England, Austria, and Prussia, against France, and in that alliance he had, to be sure, been uncommonly steady, for it had already lasted two years; how much longer it would continue he would not venture to predict. He had received, indeed, a pretty good price for his co-operation, in the possession of Poland, that most infamous and dishonourable price. The ambition of the emperor Alexander, he believed to be little inferior to that of his namesake, and he would ask, therefore, how long it was likely he would remain at peace, without his wanting more kingdoms to conquer.

Mr. *Peel* said, he wished to avail himself of that opportunity to explain the grounds upon which it was thought necessary to maintain a force of 25,000 men in Ireland; but if it was the opinion of the House that he should defer the explanation till they went into the committee, he would abstain from occupying their attention at that moment. On the contrary, if they thought it desirable to have the explanation then, especially as several of his hon. and right hon. friends had referred to him as the proper person to enter upon those details, and as the military establishment of Ireland was the only branch that now remained unexplained, he should be most happy to seize that opportunity of discharging his duty. [Hear, hear!] With respect to what he had to offer, he should certainly feel much less apprehension if he had to address the legislature of that country whose interests were more immediately involved in the discussion. There was no representative of Ireland, however, who then heard him, who would not admit that the civil power of that country was perfectly inadequate to maintain public order and tranquillity, and that a force of at least twenty-five thousand men was absolutely necessary for that purpose. He knew, indeed, the difficulties under which he laboured, in having to address an assembly, the majority of whom would be likely to form their judgment from a comparison of the circumstances which were daily passing under their own eyes. He must, however, beg all those who were not aware of the peculiar condition, government, habits, and manners of Ireland, to recollect that they were not providing for the wants of England. It had been emphatically said, by an hon. and learned gentleman (Mr. Brougham), on a preceding evening, when using the language in which he presumed an honest counsellor might address the sovereign of these realms, "that England was not Germany;" and in the same sense he would beg the House to recollect that Ireland was not England.

In entering upon the discussion he, should most anxiously avoid all topics of a political character, and only refer to the known and actual causes which required the employment of that military force without inquiring what particular events might have occasioned the necessity for it. He believed no one would deny that the situation of the two countries was widely different. In Ireland they did not possess that greatest of all blessings, a resident gentry, possessing a community of interest with the cultivators of the soil. Whatever might be the disposition of the landed proprietors in Ireland—and he was far from meaning to insinuate any thing to their prejudice,—it was obviously impossible that absentee landlords could bestow the same unremitting attention—could feel the same unceasing solicitude—could exercise the same paternal care, or exhibit the same example to their tenantry which it was in the power of resident proprietors to do. From this cause, also, it resulted, that in Ireland, there were many large districts in which there existed no alternative but to deny to the poorer classes all the benefits which flowed from the superintendance of an enlightened and independent magistracy, or to select for that function, persons to whom, under other circumstances, the important trust would not be confided. In Ireland there was a large and active population, without adequate means of employment—a population to whose industry it was impossible to give that direction upon which the peace and tranquillity of every country must mainly depend. He did not mean to inquire into the causes which occasioned so large a proportion of absentee gentry; his only object at present was to state the fact. There were other circumstances, also, of a character too notorious to require elucidation; and he must therefore entreat those gentlemen who were not inhabitants of that country—in the happiness, the comfort, and the prosperity of which, he solemnly declared he felt as deep an interest as if he were himself a native of it —to pause, before they concluded that any particular measures were bad in themselves, because they would not perhaps be applicable to England.

With respect to the military force in Ireland, it was usually appropriated to three descriptions of employment. In stating the nature of those employments, he should perhaps be compelled to draw a melancholy picture of the country; but however melancholy or distressing, if it was a true one, it ought to be displayed to that House. The first description of those employments was that which he strictly considered as military duty; the second included the aid and assistance which it was necessary to give to the civil power, in order to preserve the public peace; the third was also a service which might be considered in the light of aid afforded to the civil power, as it was employed in the suppression of that grievous bane to Ireland—illicit, distillation. Before going more minutely into the subject, he wished to guard against the supposition, that he was of opinion that a much larger military force might not be beneficially employed in Ireland. He certainly thought it might: but all that he had to do on the present occasion was, to look to the 25,000 men proposed to be maintained there—and, with respect to that 25,000 nominal force, it was to be recollected, that from the nature of the military duties to be performed, it could not be fairly estimated at more than, 20,000 effective men. Upon that part of the subject however, it would occur to every one, how extremely difficult it was to ascertain what amount would be required for the performance of strictly military duties. But he could state, upon the authority of military men, some of them commanders of districts, and well qualified to deliver a correct opinion, that every attention had been paid, and every exertion made to reduce those military duties as much as possible. He would take one instance as an example. The nightly guard at Dublin required no less than 659 men, and very considerable reductions had recently been made in the amount. Soon after the rebellion, the seat of government in Ireland was surrounded by barriers which prevented all access to the city, except under such restrictions as were known to those gentlemen who had visited similar towns and cities on the continent. Those, however, were all abandoned. The amount which he had stated was thus apportioned. Dublin Castle, the residence of the lord lieutenant in the Phœnix-park, and the patrole of that park, 164; stores of various kinds, and other military buildings, 350; for prisoners, public departments, &c, 145 making a total of 659. In time of peace it might be calculated that they would have no greater duty to perform than at the rate of one night in four, which would require, for ordinary reliefs, not less than 3000 men to be kept up. He merely mentioned that, as an instance to show that every possible attention had been paid to reducing the amount of the military guards.

He came now to touch upon another and a much more delicate appropriation of the military force, namely, its employment in aiding the civil power to preserve the peace of the country. In considering that branch of the subject, it would be necessary to refer to the amount of the establishment at former periods. In 1802, during the short peace of Amiens, the force kept up in Ireland was not less than 22,000 men. From the year 1803 to 1807 a military force was maintained, exclusively of the militia, to the amount of 32,000, upon the general average; and since 1811, there had been an effective force in Ireland of not less than 35,000. He was aware that, in answer to that statement, it would be urged that those were the establishments during a time of war, and that they could be no criterion for a time of peace. He was most ready to admit the distinction, though he must at the same time observe, that a great part of that force was employed, not for the purpose of repelling invasion, but in aiding the civil power to maintain the public peace of the kingdom.

The army of Ireland, at the present moment, was divided into 441 stations, and he would shortly explain upon what grounds it was so divided. The House must not suppose that the government of Ireland listened to every hasty application from magistrates for a military force—applications which often sprung from groundless fears. The answer invariably returned to such applications was, that it was impossible to attend to every individual who made them, and the same broad line of distinction must be drawn. They were then directed, if the state of the county or district was threatening, to call a general meeting of the magistrates, who discussed the necessity of interposing a military force; but as it was supposed those discussions would have a necessary tendency and bias towards the employment of the military, a further reference was always made to the commander in chief of the district, who was likely, on the other hand, to bring to the consideration of the subject, prejudices against the interference of his soldiery; nor was that interference permitted by the government, unless the necessity was sanctioned by his acquiescence. Generally speaking, the applications for military aid were not successful. But, notwithstanding all that precaution and reluctance, the disturbances were carried to such an excess as led to the establishment of no less than 441 military quarters. It was necessary he should state, however, that on the reduction of the army, more than 200 of those quarters would be abandoned, if only a force of 25,000 was kept up. He trusted it would not be supposed that he had any undue predilection for the employment of a military force; but he must say, it was better that justice should be executed by a military force than not executed at all. Surely it would not be denied, that the midnight murderer and the incendiary should be apprehended, and stopped in their dreadful career; and he hoped that those who felt so much sympathy for the sanctity and inviolability of our constitution, would keep some of it for the protection of the well-disposed, the honest, and the industrious, who could not afford to work for their families by day and provide for their adequate protection by night. If it was required of the magistrates that they should act in the execution of the laws, we were bound in justice to adopt some measures to secure them and their property from danger and destruction.

There was another material point to consider—they never could succeed in inducing the gentry of Ireland to reside upon their estates, unless they were secure when there. If that were not the case, if there was more safety, more protection to be found in England, then England would continue to be the residence of the Irish gentry.

Nor should it be forgotten, that the employment of a military force in Ireland, under existing circumstances, was calculated to save the government of that country from the necessity of recurring to those measures of civil rigour which parliament had sanctioned with its approbation. In some districts where the military was not employed, they had been compelled to suspend the trial by jury, under the operation of the insurrection act. But every one would allow that it was better to deter from the commission of crime than to transport for it. If they could succeed in deterring, then there was no necessity to proclaim certain districts. What he asserted was no visionary speculation. Events such as he described were passing at this very moment. The act to which he alluded had been applied to several baronies in Tipperary, upon the unanimous application of forty of the magistrates. He believed he was right in saying the unanimous application. In some cases, indeed, it had been refused;

but he knew, as a fact, that not less than seventy-six magistrates of that county, united for the great and paramount object of maintaining the public peace, had applied to government for the application of that bill. A similar course had been pursued in the county of Westmeath. It was proposed, in some counties, to remove the military, but the unanimous answer of the magistrates was, if you remove the soldiers, you must give us the insurrection act, as it will be impossible to do without it. Even on constitutional grounds, therefore, and as calculated to prevent a recurrence to those measures, he would venture to appeal to the House for its approbation of the employment of a military force in aid of the civil power. With respect to its employment in another way, by doing the duty of custom-house officers, he wished to observe, that that system prevailed in Ireland at least as far back as 1779. At that period a regulation was adopted for the employment of a military force in that service; it was stated to be absolutely necessary for the suppression of illicit distillation; and it was further ordered, that any officer refusing so to employ his men should be brought to a court-martial for a disobedience of orders. He stated that fact to show the propriety of a remark which he made at the commencement of his speech, that even if it should be thought the introduction of a military force was a bad practice, it was at least unavoidable, without the accomplishment of other essential reforms.

He should now state the extent to which the military force had been so employed; and in order also to show that it had not been the policy of one single government merely, he would mention, that in 1806, under the government of the hon. gentlemen opposite, 448 military parties were employed in detecting and frustrating the practice of illicit distillation; in 1807, there were 598 military parties; in 1808, 431: in later periods, still more; and in the half year ending the 31st December 1815, there were 1889. No one, he presumed, would deny that the morals and habits of the lower classes were not only corrupted by the dreadful extent to which that illicit distillation was carried, but that the laws of the country were violated, and that the revenue was greatly diminished by it. In order that the House might be enabled to judge of the character of those who carried on those practices, as well as of the danger attending their detection or apprehension, he would mention one circumstance that came within his own knowledge. In a district in the north-west of Ireland, well known to the gentlemen of that country, as one where illicit distillation is carried on to an enormous excess, frequent seizures were made by parties of twenty or forty men, who generally had to risk an actual engagement with the offenders. In one instance, he recollected, the soldiers were fired at, and no less than two hundred rounds of musketry were discharged in their own defence. They succeeded in their seizures, however, but on their return, they were attacked again, their seizures taken from them, and they themselves obliged to seek shelter in a house on the road, where they maintained a contest with the assailants, till they were relieved by two hundred men, who were marched to their assistance. Such an occurrence would sufficiently show the necessity of employing a military force; but he would again guard against its being supposed that he considered those temporary remedies as at all calculated to afford any permanent relief. He was as fully convinced of their inadequacy in that respect as any hon. member could be; but while that disposition to turbulence existed, would it be contended that the crimes connected with it ought to go unpunished? Would it be said that the desperate bands, who roamed about the country at night, ought to remain unmolested?

Perhaps it would be said that the course of policy hitherto pursued in Ireland was a bad one. [Hear, hear! from the opposition benches.] Let it be granted, then, for the sake of argument; still, was it possible to remove the evils of that bad and imperfect policy in an hour, or by the 25th of April? Would it be possible even for the hon. gentlemen opposite, to change, on a sudden, the whole habits and manners of so large a class of the community, to introduce, as if by magic, a radical and an effectual reform? It would be utterly impossible. He was perfectly satisfied as to the inefficiency of those temporary remedies, but meanwhile the hand of the robber must be averted, or the whole frame of civilised society must be dissolved, and a residence in Ireland be rendered absolutely impracticable. [Hear, hear!] He was of opinion that much good might be done in that country by a reformation of the police, and he should prefer an army of police, if he might so call it, to a military army. He deeply regretted the imperfect character of the police of Ireland, but any accusation upon that subject would probably apply less to the existing government than to any preceding one. Since he had the honour of filling the station which he occupied, he had turned much of his attention to the subject of the police, and had proposed some improvements and alterations which had been since sanctioned by that House. Real, substantial, and permanent reform, however, among the lower classes, could be looked for only from the general diffusion of knowledge, and from enlightening their minds. [Hear, hear!] From such sources of reform he should anticipate the grandest and the noblest results. He could state as a fact, within his own knowledge, that the greatest eagerness prevailed among the lower orders for the benefits of instruction; and he regarded it as the imperious duty of every one, in these times of general economy, not to obstruct the progress or the limits of education, which ought to be as generally and as widely diffused as possible. It would be infinitely better for Ireland and for this country to have a well instructed and an enlightened Catholic population, than an ignorant and bigotted one. [Hear, hear!] While, however, he looked for permanent relief from remedies of that kind, he could not, at the same time, consent to compromise the dignity of the government or the safety of the country, by suffering the daring spirit of insubordination to walk abroad unchecked. To execute with rigour the just sentence of the laws upon such crimes as might appear inconsistent with mercy, but he was sure that in the end it would prove the greatest mercy. That system of internal policy which would apply to England could not apply to Ireland. It was absolutely impossible. What would a watch and ward do in Tipperary, for example? Yet that was a plan admirably adapted for a country where there were no fastnesses to which the guilty could retire, where an efficient and highly respectable magistracy was maintained, where the intercourse between that magistracy was uninterrupted, and where there existed a general combination in the people for the support of the laws; but would it therefore do for Ireland? [Hear, hear!].

He hoped in what he had said, that he had at least convinced the House that a military establishment of 25,000 men was not too much for Ireland in her actual condition; if he had produced that conviction, then the only object he had in view was accomplished, and he should sit down with returning thanks for the attention with which they had listened to him. [Loud cheers from both sides of the House.]

Mr. *Wynn* observed, that the terrible picture which the right hon. gentleman had just drawn in so able a manner of the situation of Ireland, was one which loudly called upon every member of that House to insist upon a full and deliberate inquiry into the subject. If the picture was a correct one, it represented a total dissolution of every tie and every allegiance due to the laws in that unfortunate country. He doubted, however, whether the introduction of a military force in the way described by the right hon. gentleman had not a tendency to paralyze the civil authorities, and to destroy all confidence in their power and energy. With respect to the general question before the House, he must say that he objected entirely to the manner in which the estimates had been presented, because they contained no distribution of the force intended to be kept up, which had always been the practice till within the last thirteen or fourteen years. There was another subject of infinite importance in a constitutional point of view: he meant the force which was to be maintained in France. It appeared that no vote was to be submitted to parliament for that force, because its pay was to be provided out of the contributions which we were to receive from France. The consequence of that arrangement was, that parliament gave up its control over that army, and therefore he should prefer to have the contributions from France paid into the treasury of this country, and that we should vote in the usual way the sums necessary for the maintenance of our army in France. What control, in fact, could we exercise over it, except by keeping in our hands the power of refusing its pay? He should therefore feel it his duty to submit a motion to that effect, when the House went into a committee [Hear, hear!]. The hon. gentleman then adverted to the extent of military patronage which was in the hands of the ministers, and expressed his wish that that patronage should be reduced. With respect to a question which had been asked by a right hon. gentleman on a preceding evening, whether they would have the army so reduced that the grenadiers were to be converted into scavengers, he, for his own part, could see no degradation in their becoming, what they had been before, coal-heavers. At least, if the sword was now to be turned into a ploughshare, why might not the soldiers be turned into ploughmen? With respect to the extent of the peace establishment, Mr. Pitt had not proposed nearly so large a one, at a time when this country was exposed to the ill-will of many of the continental powers. In considering the means of defence which we possessed, the honourable gentlemen opposite had totally overlooked the yeomanry, a force much better adapted than regular troops to the suppression of any popular disturbance. Adverting to the garrisons proposed for our possessions in the Mediterranean, he contended that they were too large. He approved, however, of the number of marines to be retained, but contended that there ought to be a proportionate diminution of land forces. As to the fortifications of our dock-yards, the militia would be the best garrison for them. To the force to be sent to Canada he had no objection, as that waste of human life which took place in the West Indies did not there occur. But if such a force was necessary for the latter as had been proposed, he maintained that they were not worth keeping. Under the former system of reducing our establishments in time of peace, the country had grown up to its present colossal greatness; and it was a system infinitely preferable to that of consuming those resources which ought to be carefully preserved for the demands of war. At whatever department of the estimates he looked, he saw a wasteful expenditure of the public money. This was in no case more apparent than in the staff. At the peace of Amiens, when the domestic establishment consisted of 70,000 men, the staff consisted of 18 generals; now that the domestic establishment consisted of 50,000 men, the staff consisted of 36 generals [Hear, hear!] But this increase of a military disposition pervaded every part of the empire. To keep up the military mania, already too prevalent, every part of the globe was ransacked, in order to find some excuse for patronage. The hon. gentleman concluded by saying, that when the estimates went into the committee, he should move an instruction of the nature which he had before described.

Sir *John Newport* begged to call the attention of the House for a few moments to a subject which imperiously demanded their attention—the tranquillity and happiness of a large portion of the empire which required the patient deliberation of the legislature, in order to ascertain whether or not a permanent, not a temporary, remedy could be discovered for the evils under which it laboured. He concurred with the right hon. secretary, that under the existing circumstances of Ireland, a less military force in that country would be insufficient. With reference to that part of it which was to be applied to the putting down of illicit distillation, he confessed that he wished other remedies could be applied. Great as were our financial distresses, the revenue we derived from that source was purchased at too dear a rate by the continuance of the present system. He concurred in almost all that had been said by the right hon. gentleman, and his inference was, that parliament should apply its collective wisdom to the subject. What was the present state of Ireland? A great mass of unemployed population. If habits of labour were not impressed on them, the House might depend upon it that they would not be idle. The right hon. baronet concluded by expressing the astonishment which he had felt on hearing in the speech from the throne at the opening of the session, nothing said of so large a portion of the empire as Ireland, labouring under so much distress. Under these circumstances the attention of the legislature ought unquestionably to have been called to Ireland. Unless some proposition of that nature was made by the right hon. gentleman opposite, or by some individual more competent than himself, he pledged himself to bring the subject under the consideration of Parliament.

Sir *Frederick Flood* observed, that at so late an hour, he would not take up the time of the House at any considerable length. With what had fallen from the right hon. secretary for Ireland he expressed an almost total coincidence. He proceeded to draw a picture of the distresses in Ireland, and concluded by stating, that 25,000 men would be required for at least five counties in Ireland.

Lord Folkestone, in consequence of the lateness of the hour, moved an adjournment of the debate till to-morrow; which was put and carried.

Mr. Brougham gave notice that he should to-morrow call the attention of the House to a most extraordinary return made by the commissioners of the taxes.

The other orders of the day being disposed of, the House adjourned at half past one o'clock.

HOUSE OF COMMONS.

Wednesday, February 28.

WEIGHTS AND MEASURES BILL.] Sir *George Clerk*, in moving for leave to bring in a bill to ascertain and establish uniformity of weights and measures, made a short statement of the objects of the proposed measure. About two years ago, a committee had been appointed to examine the standard weights and measures kept in the exchequer. It was found that those weights and measures were very disproportionate, and inaccurate; a circumstance which materially added to the great inconvenience felt by the public, in consequence of the different weights and measures used in different parts of the country, and opened a wide door to the practice of frauds on the subject. Many attempts had formerly been made to rectify this evil, but without effect. The bill proposed, that the standard weights and measures in the exchequer should be regulated. The measures in the exchequer were very inaccurate. The bushel, which ought to contain 2152 cubic inches, contained only 2124. The gallon, the quart, and the pint measures were also far from being proportioned to one another. Dismissing the mode of regulating by capacity, it was proposed to regulate by weight, and the pound avoirdupois was chosen for this purpose, instead of the pound troy, as being in more general use. It was proposed, that the pint measure should contain 20 ounces of water, and consequently the bushel 80lbs. It was also proposed to abolish the present distinctions of ale and wine, and other distinctions of measure, with the exception of that of coals. Some exceptions also would be proposed, which related to the drugs of apothecaries. Although it would be necessary, should parliament adopt the measure, that a sufficient time should be allowed to elapse before its operation, to prevent inconvenience, yet it should be considered, that the recent investigation of the subject, had very much distressed the makers of weights and measures, some of whom, in consequence of the uncertainty that prevailed on the subject, had not received a single order for the last twelve months. In the committee on the bill, any alterations that might be suggested, would undergo the most advantageous discussion. He hoped, that the bill would be allowed to be read a first and second time, and committed for the purpose of filling up the blanks, as until that was done it would be quite unintelligible. The hon. baronet concluded by moving, "That leave be given to bring in a bill for ascertaining and establishing uniformity of weights and measures."

Mr. *W. Smith* complimented the hon. baronet on the ability and patience with which he had prosecuted the inquiry that led to this measure.

Leave was given, and sir G. Clerk subsequently brought in the bill, which was read a first time.

PETITIONS AGAINST THE PROPERTY TAX.] Petitions against the Property-tax were this day presented from Montrose, the Hundreds of Loes; Colneis and Carlford in the county of Suffolk, Arundel, Fife, the ward of Cheap in the city of London, York, Brandon, Swaffham, Monmouth, Coventry, Black Torrington, the owners of Dairy Farms in Devon, and also from Nottingham.

Sir *Samuel Romilly*, on presenting the petition from Arundel, observed, that the petitioners understood that a pledge had been given for the discontinuance of this oppressive tax, as soon as the war should be terminated. It was hardly necessary for him to say, how far his opinion coincided with that of his constituents. But he wished to take this, the earliest opportunity of correcting himself, in a statement which he had made, relative to the persecution of the protestants in the south of France. He had yesterday stated, that the number of houses destroyed in the department of the Garde was two thousand. This was quite a mistake. What he ought to have stated was, that nearly that number of individuals, of the protestant persuasion, had been robbed by the populace, under the pretence of levying contributions. The number of houses destroyed was only 240. There was another error on this subject, which was not his. He had been represented as having said, that the number of women who had been treated with indignity was 150: whereas he had only said, that 30 women had been abused, and of these that eight had died in consequence. He concluded by moving, that the petition be read.

Mr. *Jones* wished to take that opportunity of stating his reasons for opposing the property tax. Although he approved of the amount of the proposed military establishment, he by no means wished the expense of that extensive establishment to be defrayed by the continuance of a tax of so unequal and oppressive a nature. Until the present military fervour subsided upon the continent, he felt how necessary it was for us to keep up a large army. His opinion on this subject was not so much grounded upon an apprehension of a reaction in France, as from the immense preponderance of a great continental power, whose dominions extended from the Sea of Asoph to the Gulph of Bothnia, and which, not even contented with such a prodigious extent of territory, had added thereto almost the whole of Poland. He agreed with an eloquent writer, who said that Europe might one day owe the preservation of its liberties to the military power of France and the naval superiority of Great Britain; and on this principle he was not one of those who wished to see France curtailed of its due proportion of power on the continent. Yet, however necessary it might be for this country to support, for some time longer, a great military force, there was no plea thereby afforded to justify the continuance of the property tax. He referred to the words of the noble lord who had been prime minister of this country at the time of the peace of Amiens, on the occasion of his taking off the property tax on the conclusion of that peace, as showing the opinion of that noble person to be, that the continuance of this tax during peace was illegal. He would be glad to know the opinion of that noble lord now. One great objection to this tax, independently of every other consideration, was this, that it bore so unequally on the poorer classes of society. The hon. gentleman concluded by animadverting on the sarcastic expressions of an hon. baronet (sir R. Heron), as to the country being "covered with glory." He saw very plainly the disposition which dictated this expression; but he would tell the hon. baronet that he believed there were very few in the country of those who had laboured most under the burthen of taxation during the war, who would not cheerfully bear much greater privations rather than see this country run the danger of becoming the province of some continental power.

Mr. Serjeant *Onslow* said, that as he should probably not have another opportunity, he would take the present occasion of entering his humble but solemn protest against the continuance of the property tax. It appeared to him to be totally inconsistent with any principles of policy or good faith, to render that which was a temporary and a war measure, a peace and a permanent one. He was aware that the chancellor of the exchequer had declared his intention of proposing it for two years only; but this proposition for a certain time had, in several instances, been already made, and the result had always been the disappointment of the hopes of those who were hostile to the tax; so it would, no doubt be, in the present case. As to the question of public credit, he was persuaded, and had been assured by individuals conversant with the money market, that a small loan would be much less injurious to public credit, than the perpetuation of this odious measure; the inequality of which, in subjecting the capitalist only to the same burthen as the man who derived the same income from the labour of his head or his hands, from six in the morning until six at night, he forcibly exposed.

Sir *Robert Heron* begged the indulgence of the House, while he explained the reasons which induced him, having voted for the property tax in the last session, to vote in opposition to it in the present. In the last session, he felt that a large sum was necessary to carry on the war, and he was convinced that that sum could not be raised so advantageously as by the property tax. But now he was convinced, that the money which it was intended to be raised by the property tax, ought not to be raised at all: and that the enormous military establishment of the country ought to be diminished by an amount equal to that which the property-tax was estimated to produce. Reductions ought to be made in the civil list also; and if any money should subsequently be required, the best way would be to raise it by loan.

General Wemyss having presented a petition against the property tax from the tenants and owners of lands in Fifeshire,

Mr. *J. P. Grant* congratulated the House and the country on the commencement of petitions from a distant part of the empire against this oppressive measure. As he came from that part of the island whence the petition just presented by the hon. general proceeded, he would undertake to say, that though it was among the first it would be by no means among the last of the petitions that would be sent from that quarter, if a sufficient time was allowed for that purpose. It was evident that these petitioners had not heard the ingenious observations of the right hon. gentleman last night, by which he endeavoured to convince the House that the faith of parliament was not pledged against the renewal of the tax. The petitioners, it seemed, had not waited for the right hon. gentleman's explanation, but no doubt when they heard that in the act of last session, the three words "and no longer" had been omitted, they would be perfectly satisfied that the faith of parliament would not be violated by a continuation of the tax! It certainly was a very clever and dignified way which the right hon. gentleman had discovered for getting out of a difficulty from which he found it necessary to escape. Whether, when the petitioners heard of it, they would change their opinion, he would not say. At present they were certainly under the impression—a mistaken impression according to the right hon. gentleman—that parliament were pledged not to continue the tax. When he left Scotland many similar applications to that House were in preparation, and when the slowness of the Scotch people to petition parliament was considered, that circumstance ought to be deemed a strong proof of the impression that existed throughout the empire on this important subject.

Sir *Francis Burdett*, on presenting the petition from Monmouth, said, that the petitioners complained of the attempt to continue the property tax as a violation of faith. The tax having been levied as a war tax they insisted that it ought to cease with the cause of its imposition. The petitioners also complained of the large expenditure of the country, and of the number of unmerited pensions that had been granted; they said "unmerited," because they by no means grudged those pensions which had been merited by public services. They also complained of those enormous sinecures which still existed, notwithstanding the recommendation in the speech from the throne to measures of economy, and they could not but consider that the forbearance from all measures calculated to carry that recommendation into effect was little short of adding insult to injury. The petitioners likewise complained of the sums expended in monuments, and other showy useless buildings representing that in the present unparalleled state of the country all such expenses ought cautiously to be avoided. He had great satisfaction in presenting this petition; and he trusted that the effect of this and the innumerable other representations of a similar nature, which had been made, and which were about to be made, to parliament, would be to arrest his majesty's government in that course, which, if pursued, must lead to the consummation of the ruin of the country.

Mr. *Peter Moore* presented the petition from Coventry complaining of the weight of taxes in general, and of the inquisitorial nature of the property tax in particular. The hon. member began by stating his claims to attention, if on no other grounds, at least as the representative of a great city, whose interests were immediately involved in the consideration of this subject. Last year he had voted against granting money, in order to restore the Bourbons, and on the same principle, he would continue to vote against the present enormous proposed expenditure, the object of which was to support a great military establishment to maintain that family on their throne. The petition which he had the honour to present, represented sufferings in a strong point of view, and yet he would venture to assert that it did not depict the one-fourth of what the people really endured. He would mention one fact that came within his own knowledge, and which told more than any language, however exaggerated, could convey. In the House of Industry, which was supported by public expense, for the maintenance of the distressed, and of those who had no other asylum, premiums were regularly offered to gain admission, and advertisements put publicly forth to farm the industry of the poor. He requested that attention would be paid to the statements in the petition, as during the fifteen years in which he had the honour to be a member of that House, he was sorry to observe that petitions in general were paid as little attention to, as though they were no more than so much blank paper. The hon. member adverted to the cunning with which an attempt was made to pledge the parliament to a continuance of the property tax—at first they were induced to approve of the peace and the treaties, by which it had been concluded; it was now said, that they were in consequence bound to vote a large supply, in order to support a large military establishment founded on the terms of these treaties. The proceedings of ministers on this occasion was, he said, contrary to every rational principle of conduct amongst private individuals on similar occasions. It was usual, amongst those who had any wisdom, to regulate their establishments according to their certain income, and not to depend on a precarious revenue for the support of establishments extravagant beyond their means.

Mr. *Butterworth* supported the petition of his constituents. He remarked, that had the tax been imposed on real or funded property it would not have excited such general opposition as it did at present, from its affecting precarious and uncertain income. The generally distressed state of the commercial interests in the country, rendered the pressure of such a tax much more severe than usual. He had known several houses in Coventry which had paid from four to five hundred pounds a week in wages to workmen, now unable to pay more than forty or fifty pounds, and such a state of distress required, he thought, the removal of so oppressive a tax. He objected to the tax on many grounds, and on none more than the facility it afforded to favouring one person more than another. The commissioners constantly favoured their friends, and many suffered considerable injury by developing their private concerns to persons with whom they had been in habits of business. The tax was also an injury to public morals, by the inducement it held out to perjury, and giving false returns of property. With regard to the distress mentioned in the petition, he, from certain information could corroborate the statement, by declaring that greater distress never existed at Coventry than at the present moment, and he firmly believed that no party feeling was mingled with the statement of grievances, but that it proceeded from the general sense of the people. After all that had been brought forward already on this subject, he would not detain their time longer.

The Hon. Mr. *Lyttelton* expressed his surprise that no notice had been taken by the hon. gentlemen on the opposite side, of what had been stated so ably on this subject in the course of the evening. For his part, he would not take upon himself to determine, whether ministers were ignorant of the distresses of the country, when they talked of its prosperity in the speech delivered at the opening of the session. As he had always given the chancellor of the exchequer credit for at least candour, he would allow him the benefit of it on that occasion. But whatever excuse there might some time ago have been for ignorance, there was no plea for it at present, when there were every day accumulating proofs of the misery which prevailed throughout the country. He was sorry to observe that retrenchment, of which so much had been promised, was so little practised, but he hoped that the House would do its duty by compelling ministers, if they did not voluntarily enter on the subject. He concluded by advising the chancellor of the exchequer to give up the question of the income tax, or he would find himself engaged in a cause to which he would not be able to ensure success.

Sir T. Acland presented a petition from the inhabitants of the south and west division of the hundred of Black Torrington, which, on being read by the clerk, appeared to pray for relief under agricultural distresses against the property tax, and the duties on malt, leather, salt, and iron.

Mr. *Lockhart* considered the last petition which had been presented as the most sensible that had come under his observation, inasmuch as it pointed out the cause of public distress, and at the same time suggested those measures, the adoption of which was likely to afford relief. It did not, like many others which had been laid on the table, petition generally against the property tax, but, adverting to the difficulties which the agricultural interests had to encounter, at once referred to schedule B. as the great cause of those difficulties. It was evident, that the great burthen felt by the farmers was attributable to this schedule, and to afford them any prospect of relief, that must be abandoned *in limine*. It was in vain, however, to expect any radical advantage from this modification of the tax, unless those persons who possessed exchequer bills, or property in the funds, were brought under its operation. The great evil of which the country had to complain, under the effect of the tax in its present form, was, that those persons who had no property were as liable, if not more liable, to its operation, than those who were large capitalists; but to contend that there should be no property tax at all was, in his mind, an absolute absurdity. Independant of this tax, there was, in his mind, another essential cause of public distress, and that was the insolvent act; the direct tendency and effect of which had been to dissolve that confidence between man and man, upon the existence of which the credit of the country had heretofore depended. For himself he had only to say, that he should be ready to support the property tax upon fair principles, as applicable to real property.

Mr. *Baring* had no doubt the chancellor of the exchequer congratulated himself with no small delight at having at last found a champion for the property tax.—The hon. and learned gentleman who had just sat down having been the first to stand up in that House and advocate its continuance under any modification. From what had last fallen from that hon. and learned gentleman, however, it would appear that he was not likely to prove so useful a champion as might at first have been anticipated. He had, in fact, admitted that the tax was oppressive in a variety of ways, and could only be rendered tolerable by material, and what, no doubt, the chancellor of the exchequer would consider very objectionable modifications. It was the duty of the House, however, when the tax did come before them, not to consider by what means it could be rendered less oppressive than at present, but at once to resist its introduction in any form. The hon. and learned gentleman had talked of exchequer bills and the funds not coming under the operation of this tax. Now he (Mr. Baring) had never heard a doubt that the tax was applicable to this description of property as well as to any other. The fact was that each individual of each separate class who was called on to pay this tax, whether the tenant under schedule B., the landlord under any other letter, or the tradesman, all had their objections to the measure, and the result of the whole was, that the tax was oppressive, inquisitorial, and directly at variance with those blessings which the constitution of the country in its pure form was calculated to bestow.

Mr. *Thompson* coincided in all that had been said by the petitioners who had addressed the House upon the oppressive operation of the property tax. He maintained that the farmers had for some years been compelled to pay a tax upon profits, when the fact was, that they had been sustaining most heavy losses; some with whom he was acquainted, and who two or three years since were worth 1000*l.*, 2000*l.*, or 3000*l.*, were now bankrupts, and were yet compelled to pay an impost that professed to be laid only upon their gains. It was assumed in the collection of the tax, that the profit of the farmer was equal to three-fourths of the rent he paid to his landlord: this average was at all times uncertain and fallacious; but of late the losses of the tenants, in some cases, had been double or treble the amount of the rent. Under these circumstances, he was astonished that the chancellor of the exchequer should persevere in forcing so unjust and impolitic a measure upon an unwilling and overburthened people. It was said, that the whole machinery of the tax was complete; it might be so, but even though it should be reduced to five per cent. he doubted whether it would produce half the sum calculated upon by the chancellor of the exchequer. The rigour with which the exactions were made was another ground of complaint; and the small amount of the arrears was to be attributed to the extraordinary powers given to the commissioners. He trusted that the chancellor of the exchequer would obey the voice of the country, which loudly called for the removal of this odious imposition.

Mr. *Benjamin Shaw* also hoped that his majesty's ministers would listen to the complaints of the house and of the nation. He said, he mixed much with commercial men, and though he was not furnished with their signatures, he was authorized by them to state how grievously they were oppressed by the property tax, and to resist its continuance, excepting as a measure of the last necessity. The long period during which they had submitted to this burthen for the prosecution of the war, had showed how objectionable it was in its effects; and even those who at first had not disapproved of its principle were soon convinced, by experience, of their error, and were now most strenuous in opposing the renewal. Few now doubted that this tax was founded in injustice; for how could it be just when it was so unequal, compelling a man to pay, upon precarious and fluctuating property, in the same proportion as he who possessed the unalterable fee simple of an estate? and whatever modifications might be introduced, it was impossible that it could ever be carried fairly and equitably into effect. He begged to be allowed to canvass what had fallen from the chancellor of the exchequer upon the question, whether the property tax of five per cent. were preferable to a loan annually raised. He did not deny that loans were objectionable, but they were much less so than what was now proposed in their stead; for the first was obtained from the superfluity of those who had too much, while the last was extorted out of the hard earnings of the poor and the industrious. As a mere question of finance, it was undoubtedly in the end much the same whether six millions were raised in the one way or in the other; but to the subjects of the country it made a most important difference at the present time, when those upon whom a property tax would bear with the heaviest burthen were, from recent sacrifices, the least able to bear it. He did not believe that the bankers were indisposed to render that assistance to government which, on many former occasions, had been obtained from them; but the diminution in the value of property might, perhaps, have made them less competent to afford it; a loan would make demands upon monied men, while a property tax at once depressed the spirits and drained the pockets of the community. He entreated government to advert to the unprecedented burthens the people had of late years cheerfully submitted to—burthens even beyond their powers, looking forward to the time that had now arrived, when peace should warrant retrenchments, and enable them to recover their exhausted strength. What, then, must be the grief and disappointment of every individual, who now discovered that war was not the only period of excessive taxation, but that even during peace they were called upon to resign the little comforts that they had hoped to enjoy? What must be their feelings when they should find, that, in defiance of every promise and every pledge, the property tax was to be continued? The burthen, it would be said, was reduced one half: but that was a small relief. It was not with regard to money alone that the tax was obnoxious, but to the manner in which it was levied. It did away the trial by jury, ever since the institution of which the country had grown up in prosperity and happiness, and for that reason alone, were there no other, he would raise his hand against it. Even were it only one, instead of ten per cent. though it would be less onerous with respect to money, it would be more onerous than the country should bear, by the innovation that it would introduce into the constitution. When our neighbour's house was on fire, we had a right to pull it down, in order to save our own; but when the fire was over the right also ceased. It was the same with the property tax, borne through necessity during the war, but which could not be justly revived when the contest was closed. He hoped the right hon. gentleman would attend to the voice of the House and of the country, and withdraw a measure, which, if pressed and carried, would prove one of the most detrimental to which the nation had ever been subjected.

Mr. *Barclay* was not aware upon what principle Ireland was to be exempted from the operation of this tax, if it should be imposed. In his view it was most impolitic to renew it in either country, from the demoralizing effect it had upon the people, who were compelled to resort to a system of misrepresentation, and upon the commissioners, who were encouraged in a practice of extortion. In his opinion, all means of retrenchment ought first to be tried, and, before monuments were proposed to be erected to our armies, it ought to be considered whether the property tax would not be a monument of our distresses. Although he objected to the continuance of this offensive measure, he should not think it necessary to vote against the army estimates, because he believed that other means of raising them might be found, and he felt that in France an army of observation ought to be maintained. We had already witnessed the consequences of the restoration of one sovereign, in the wanton tyranny exercised by Ferdinand; and it was possible that our army in France might be the means of preserving liberty and tranquillity in that country. When peace was once firmly attained, he should consider a force of such magnitude unnecessary to be maintained.

Mr. *Brougham* conceived, from the discussion of these two nights, from the petitions which were already presented, and from those of which notice was given, and which would be laid on the table of the House, if proper time were allowed, that he might presume an almost unanimous opposition to the income tax, both in parliament and in the country. There was no one who professed his desire to support it but the chancellor of the exchequer, and even he was now silent. But though an almost unanimous opposition to the proposition of government might be calculated upon, there seemed to be shades of difference, with regard to the tax itself, among those who united in the general object of petitioning against its renewal;

and the government would endeavour, by going into a committee, and by listening to the suggestions of different individuals in their several recommendations, to carry their own measure into execution, by presuming upon the division of hostile force, which slight differences of opinion would allow them to infer. He would therefore implore all those who opposed the proposed renewal not to allow the right hon. gentleman to bring in his bill. If they did, the general object would be lost, while the attention of the House would be turned to minute and unimportant distinctions. Different classes of petitioners out of doors confined their objections to particular provisions of the tax which more immediately affected themselves; and those who supported their prayers in the House entertained slight differences of opinion with regard to the effects of different modifications. The class of farmers felt the oppression of that part of the tax included in schedule B: another prayed for relief from schedule D; and the proprietors of land complained of schedule A, which applied particularly to them. It was very natural for the different classes which this odious and inquisitorial impost oppressed, to direct the view of the legislature to those hardships which they in their respective cases experienced, and to bestow less of their attention upon those which were borne by others. It was enough for each if they stated their own grievances; but the House should not behave in this respect like the country. If every member, attending only to his own view of the question, contended for its adoption, and withheld his assistance from those who agreed with him in the same general view, the chancellor of the exchequer would obtain his committee, and defeat them all. By attending to the objection of one individual; by listening to the suggestion of another, by showing the inconsistency between the propositions of his opponents, and by dividing their forces, he would gain an effectual ascendancy over them all, and, in the midst of contradictory schemes and plans, would carry that which he had previously resolved upon. While the parliament was divided, there would be the most perfect unity of action among the friends of the right hon. gentleman. If one hon. gentleman only pressed his proposition with regard to the relief of the agricultural interest; if another, who stated forcibly the sufferings of the commercial and manufacturing portions of the community, only endeavoured to lighten the pressure upon them; if a modification satisfied one gentleman, and a slight change in the mode of collection another; in short, if they formed no union for the purpose of a total abolition, there might be a danger that the efforts of all, being thus so divided, would be rendered ineffectual. He entertained, indeed, the firm assurance, that ministers would be compelled to relinquish their projects; that they would be unable to carry their measures against the sense of the country, so loudly, so firmly, and so universally expressed. But still there was a necessity for a continuance of their opposition. The people should not relax in their exertions; they should continue to meet and lay their prayer before their representatives, that their voice, expressed in a constitutional manner, might act upon ministers so as to induce them to abandon the alarming measures they had in contemplation. He was the more anxious in pressing this necessity, as he understood that arts had been employed to allay the general activity of the country, and to prevent them from petitioning, in order that the act might pass without that universal protest which would certainly be made to a measure so obnoxious, if no deception were practised. He had heard that the friends of government were spreading reports, that the chancellor of the exchequer had changed his mind with regard to the property tax, and that he had abandoned the proposal of renewing it, in order that the measure might be carried more quietly through the House, when petitions would be of no avail.—The hon. and learned gentleman repeated his conviction, that the tax would be abandoned, and that a premature belief of such abandonment, leading to a neglect of the proper and constitutional means of compelling it, was the only danger to be dreaded. Whenever there was any appearance of relaxation on the part of the people, the right hon. gentleman opposite would make his own use of it, and employ it as an argument for proceeding in his proposed measures. It was very remarkable, that, during discussion after discussion, while so many petitions were presented, while so many representations were laid before the House by gentlemen on both sides, and so many calls were made upon the friends of the right hon. gentleman to defend themselves and him, not one rose up to state his opinion in favour of the tax in question. Even an hon. baronet, the member for Devonshire (sir Thomas Acland) who had presented so many petitions against it, and who seemed so willing to support the ministers in imposing it, had stated no reason for his predilection. Mr. Brougham said, he could only account for this extraordinary silence, on the supposition, that the gentlemen who approved of the renewal of this tax, felt themselves so much at variance in their sentiments with the expressed sense of the country, that they were ashamed to avow themselves. The national wish had been so unequivocally expressed, that they were afraid to raise their voice against it. He hoped the gentlemen on the opposite side would be induced to forego their silence that night—that they would take some sort of notice of what had fallen from those near him, and offer some defence of the measures they meant to support.

Mr. *Forbes* thought it his duty to state to the House, that in the course of last autumn he had travelled from one end of Scotland to the other, that among all classes of the people of that country, he had found the income tax held in execration, and that they declared their firm reliance on the faith of parliament, that this tax would not be continued. These sentiments were not confined to the owners and occupiers of land, but were also expressed by persons engaged in trade and manufactures. This he thought it right to state, as from the shortness of the time which had elapsed since the continuance of the tax had been announced, it was impossible that many petitions could have yet arrived from Scotland. But if a sufficient time was allowed, he was convinced there was but a very small proportion of the inhabitants of that country who would not petition against the tax.

Mr. *Ponsonby* regretted that the chancellor of the exchequer should have been absent during the speech of the hon. gentleman who had just sat down; but he hoped that some of his friends would communicate to him the information conveyed by that hon. gentleman to the House. There was no one who knew that hon. gentleman who would not respect his account, and place the greatest reliance on it. When that hon. gentleman declared that there was not one place in Scotland which would not petition against the income tax, he hoped the chancellor of the exchequer would not persist in his intention of hurrying it through the House in such an indecent manner, before the people of Scotland could have an opportunity of so petitioning. But he would say to the people of Scotland, still petition and have your petitions rejected. He was anxious that all the united kingdom should follow the same course, and that petitions should be presented from those places whose voice had not yet been heard by parliament, even though they should be unavailing so accomplish the objects for which they were drawn up. The people of Great Britain would thus come to know the character of their government, in opposing the interests, contemning the opinions, and resisting the wishes of a whole nation.

Lord *Milton* observed, that the reason why petitions had not arrived from Scotland was want of time. A petition had that night been laid on the table from the county of Fife, and one had likewise been presented from Montrose. More might be daily expected, if the door was not shut against them by the precipitate proceedings of the right hon. gentleman opposite. Not only the people of Scotland, but of the north of England, had yet been prevented from expressing their wishes to the legislature from want of time, and were now hastening to do so. The noble lord said, he had received a letter that morning, informing him that a petition was preparing at Leeds, and that a meeting was advertised at Litchfield for the same object. Would the chancellor of the exchequer press the measures he had in contemplation upon parliament on the day he had announced, when he was aware that the first vote passed in the committee of ways and means would render petitions from so many quarters ineffectual and nugatory? Formerly, the chancellor of the exchequer had not been so precipitate. Before he proposed the renewal of the property tax, he consulted with some agents at Liverpool, who were to sound the minds of the respectable merchants there, and attempt to reconcile them to his measures. The success of that canvass was not such as he expected, and did not encourage a second attempt of the same kind. The people there could not be prevailed upon, by any inducement he could offer, to express their cordial acquiescence in his plans, and thought it better to get quit of the burthen of the property tax, than to curry favour with the chancellor of the exchequer.

Mr. *John Smith* presented a petition

from Nottingham, against the property tax. The petitioners also, he said, expressed their fears, that the vast standing army proposed to be kept up would prove dangerous to the liberties of the country. A great number of these petitioners were engaged in trade and manufactures; and he would say, that they were not among the persons described in the speech from the throne, as carrying on a flourishing commerce. He had only to add, that if any body of men in this country had been consistent friends of liberty, it was these petitioners; and that he coincided with them in the apprehensions which they entertained respecting it at the present moment.

Mr. *Philips* rose to express his surprise that none of the hon. gentlemen on the other side of the House had yet spoken in favour of the measure that government was pursuing. At an early period of the session the House was congratulated on the flourishing condition of the country, in its commerce, trade, and agriculture. The assertion, that we enjoyed so much prosperity, still remained uncontradicted by those who made it; but it did not remain so by the nation itself. The farmers and manufacturers had told pretty intelligibly what was their condition, and it was found to be the reverse of wealth and prosperity. The flourishing condition of our trade, as declared by our exports, had been somewhat moderated by the explanation of his hon. friend (Mr. Baring), who showed that there might be exportation without gain to the merchant, and that the amount of exports had arisen from the previous interruption of intercourse with America. When the estimates were talked of, it was said that there was no connexion between them and the property tax; and the chancellor of the exchequer had insinuated, that if this tax was not agreed to, he must propose some other not less obnoxious. Was this proper language to hold to the country—"If you do not like the property tax, I will contrive some other that you may not like better." He had tried the experiment last year, and succeeded wonderfully; for there never was a system of taxation so odious and partial as that which he proposed to substitute for the property tax.

Mr. *Fremantle*, though he hoped the people of this country would not relax in their exertions, and though he was of opinion, that the whole would depend on their exertions, could not but congratulate them on the subdued tone of the opposite side of the House—he might go further, and even say, their absolute silence—and he thought he might venture to say, the measure would never be brought before the House. Still, however, the country ought not to relax in their exertions. After the petitions which they had heard from all descriptions of persons, he thought it impossible that ministers should persist in bringing forward the measure. But there was another reason against it which ought to operate with ministers. He was persuaded that if they persisted in the tax, they would not derive that revenue from it which they expected. And here he would mention an anecdote of rather a ludicrous description which he conceived to be not out of place on the present occasion. He believed the circumstance which he was going to state had actually taken place. A return was said to have been made to an assessor in the county of Cork, in Ireland, in this way —"take notice, I have cut the throats of all my horses—I have shot all my dogs—I have burned all my carriages—I have shut up all my windows—I have dismissed all my servants, except my wife, and therefore I conceive that I cannot be liable to any assessment whatever." By persisting in this tax ministers would reduce many persons in the country to such a state of distress as effectually to set all tax-gatherers at defiance.

Lord *Compton* declared, that he for one was rather friendly than otherwise to the property tax—[Hear, hear! and a laugh]—and he believed if it should be abandoned, the chancellor of the exchequer would have to propose worse taxes, not from any inclination, but because he could not help it, as he had no other means within his power. He knew he was holding a very unpopular language. He believed that though the county to which he belonged was hostile to the tax, yet his constituents, who were a pretty numerous body, were not hostile to it. In the town of Northampton, which contained 300 freeholders, there were only 28 who had petitioned against the tax.

Mr. *Ponsonby* admired very much the noble lord's courage. He had in the most manly and dignified manner, put himself forward for his friends, at a time when no one of his friends durst say any thing for themselves. But still the noble lord was no very warm admirer of the tax; he expressed himself only rather friendly to it than otherwise. But this faint approval, he hoped, would not weigh with the House against the wishes of the country at large, though some of the noble lord's constituents should also be friendly to the measure. But would they send a petition to the House, praying that they might enjoy that tax rather than be subjected to some others out of that box of ills which the chancellor of the exchequer was to open on the country?

The petitions were all ordered to lie on the table.

Board of Taxes.] Mr. *Brougham* rose to call the attention of the House to the novel and extraordinary return made by the board of taxes to an order of parliament. It was painful for him to make the observations which he was now called upon to do. Whatever respect he entertained for the commissioners of that board; however high in particular was his opinion of the respectable character of Mr. Lowndes, who was at the head of it, he could not help saying that they had committed a great indiscretion in their return. Whether a motion was made from one side of the House or the other; whether it was supported by a smaller or a greater proportion of the members; with whatever gentleman it originated; when it was carried, the order consequent upon it became the act of the House, and was to be obeyed as such. The previous proceedings, the sentiments of members who were for or against, were not to be taken into consideration by those whose conduct it was issued to direct. The board in this case had no right to make any retrospect —their duty was to obey the order made them, and to make a return according to the terms of it. The order, it would be recollected, was for a return of all the persons assessed to the income tax in London, the amount of the assessment, and the appeals against it, with the decision upon them. The answer returned to this order began by instructing the House how they should denominate the tax in question. It stated, that the commissioners knew of no income tax but one raised under an act that had expired in 1802. Did the House require the schooling of the board of taxes? Did it not know that the act alluded to had expired at the time specified? The board, however, proceeded to state, that they presumed that when the House mentioned the income tax, it meant a tax levied upon property, professions, profits, trade, &c. Was not this, even upon their own showing, a tax upon income? Was not a tax upon the profits of trade a tax upon income? Was not a tax upon the revenue, derived from offices, a tax upon income—unless it could be said of offices what lord Arden had said of his sinecure, "that it was his freehold?" But he would refrain from any further discussion of the principles of the board, and would have pardoned their rather indecorous criticism of the order of House, had the return been made. This was not, however, the case. They had made no return, and gave as a reason for their conduct, that they did not find the accounts in their office, and had no connexion with them farther than was necessary for carrying into execution the provisions of the act. He could not too highly praise one part of their return, where they alluded to the oath that restrained them from making disclosures, and he wished that oath had been every where held equally obligatory. He contended, that if they did not find the accounts ordered in their office, they ought to have made inquiry after them at the proper offices. If there had been any necessity for those returns, with the design of increasing the tax, he had no doubt that they would have been forthcoming. The cause, however, of the failure of the order in procuring the necessary return lay with the treasury, who ought to have directed it to the proper officer. He had brought the subject before the House, that an explanation might be given of what could be considered in no other light than as a disrespect to the authority of parliament.

The *Chancellor of the Exchequer* said, that the order of the House had not been sent to the treasury, but directly to the board of taxes; so that he had known nothing of the return before it had been made to the House. From the known merit of the officer to whom the order had been sent, he was convinced that no disrespect could have been intended to the House; but immediately on having seen the defective returns, he had given directions that a proper return should be made out by the officers who had the information in their power. At the same time he should remark, that the order had not been accurately worded. It required an account of the number of persons assessed, which was impracticable, as persons were assessed sometimes in two places, and partnerships were assessed as one person. He should therefore move, "That there be laid before this House, an account of the number of assessments, in the city of London, granted by the acts of 46 Geo. 3, c. 65, and of 55 Geo. 3, c. 53; and of the number of surcharges upon the returns to such assessments for the year ending the 5th of April 1815, and for the three quarters ending the 5th of January 1816, distinguishing the number of appeals against such surcharges, and the number of cases in which such surcharges have been confirmed, or wholly or partly reversed, respectively, so far as the same can be made up."

Mr. *Brougham* said, that as a board of commissioners had presumed to enter into an altercation with the House, he should insist on the words "to the income tax" being inserted in the order, lest these commissioners should suppose that the House acquiesced in their criticism, and acknowledged the lesson well bestowed. Though this was of very little consequence in the order, it was of much importance as to the merits of the question. He should not, however, have insisted on this alteration, but for the altercation with these tax commissioners.

The *Chancellor of the Exchequer* said, that he had no objection to the words proposed; it would be best, however to refer to the acts by which the contribution was granted. He also observed, that it would be well in these cases if the orders of the House on the subject of taxes were sent first to the treasury, whence they might be directed to the proper officers.

The *Speaker* observed, that there was a standing order of the House by which all such orders were to be sent by the serjeant to the treasury. But from the order having fallen into the hands of some new messenger, or some other accident, it had happened otherwise in the present instance.

The motion as amended was agreed to.

Civil List.] Mr. *Bennet* wished to know whether there had been any excess on the civil list during the last year, because by law a return of the excess, if such there had been, should have been made to parliament on or before the 28th of February.

The *Chancellor of the Exchequer* said, that there had been some excess in the expenditure of the civil list, and that the accounts were making out and would soon be laid before the House, after which it would be his duty to bring in a bill to regulate the civil list expenditure.

Mr. *Tierney* said, that the conduct of the minister in this case was such that it was difficult to imagine any thing more insulting to parliament. In the last session a bill had been brought in requiring that the excess of the civil list in every year should be laid before the House on the 28th of February following, on the ground that the accounts being laid before the House late in the session, there was no time left to debate on them. The hon. member who brought in that bill (Mr. Bankes) must feel that his act had been entirely defeated, for now on the 28th of February, the chancellor of the exchequer being asked whether there had been any arrear, gave for answer, that the accounts of the excess were making out, and would soon be presented. The fact was, there had been an arrear which it was not convenient, at an early period of the session, to present to parliament.

The *Chancellor of the Exchequer* said, that though there had been an excess on the civil list expenditure as regulated by act of parliament, there had not been an excess above the estimate presented last year.

Mr. *Tierney* said, the estimate was no authority; he had objected to every item of it, as the most impudent proposition that had ever been made to parliament, and on the consideration of the House voting the sum required last session, that estimate was withdrawn. As to the excess, in whatever department it had occurred, he hoped the persons who had incurred the additional expense, would be left to pay it. The kindness of the House in paying the last debt on the civil list had not been received with common decency; for at the end of the session the speech from the Crown had not even thanked the Commons for the 530,000*l.* advanced to pay the Prince Regent's debt, as if it were so much a matter of course, that whatever extravagance the Prince was to run into, the House was to pay, without even receiving thanks in return.

Mr. *Brougham* wished to know what was the amount of this excess, or, if he might use the word, this extravagance of the persons in question had been?

The *Chancellor of the Exchequer* could not take on himself from memory to give the exact amount, but it did not exceed the estimates of last year. The excess of the expenditure in the civil list had been inevitable, and had been sanctioned by parliament.

Army Estimates — resumed Debate.] On the motion, "That the order of the day for resuming the adjourned debate upon the motion made upon Monday last, that the several estimates, relating to army services, which were presented to the House upon the 19th day of this instant February, by lord viscount Palmerston, and upon Thursday last by Mr. Peel, be referred to the committee, might be read,"

Mr. *Baring* suggested the impropriety of discussing, in the absence of the noble lord (Castlereagh), estimates which must entirely rest on statements which he had given; unless, therefore, gentlemen came to vote, and not to hear, they could not go into that question to-night. He had no wish to impede the public business, and the object of retarding the discussion of the property tax had already been effected. He had not many doubts on the subject they were about to discuss; but if he had any, they might be removed by the statements of the noble lord; it was only, therefore, on the score of common propriety that he should move that the debate be resumed to-morrow.

Colonel *Wood* stated, that though he had left lord Castlereagh exceedingly unwell, yet his lordship had expressed a most anxious wish to give, if possible, any statement that could be desired, and that, unwell as he was, he would, if it were considered necessary, attend in the course of the evening.

Mr. *Tierney* felt that the House was placed in an awkward situation. If the House persevered in moving an adjournment, the noble lord would be called down, however unwell; if they proceeded without him, they would debate at a great inconvenience; for the attendance of the minister was in the highest degree material, as the army estimates involved the consideration of all our foreign relations. It was very usual to postpone debates when ministers were ill; and though it might not be proper to delay the discussion for any length of time, yet, when so much might be gained by a pause of eight and forty hours, he must wish for an adjournment.

The *Chancellor of the Exchequer* reminded the House of the motion that stood for to-morrow, and, after the statements that had been already received, did not think the attendance of the noble lord so absolutely necessary.

Lord *Folkestone* said, that his hon. friend, the member for Essex, had no objection to postpone his motion which stood for to-morrow, and he thought it indecent to proceed in the absence of the noble lord.

Mr. *Law* opposed any delay, and thought it inconsistent with the dignity of the House to defer a discussion on account of the absence of a single member.

Lord *Milton* thought the House competent to discuss the question in the absence of the noble secretary, and was astonished that they could not proceed after all they had heard on the subject.

Mr. *Robinson* observed, that the same difficulty would recur to-morrow should the noble lord continue indisposed.

Mr. *Tierney* said, that if the noble lord could not attend to-morrow, the business ought not to be further delayed.

Mr. *Brougham* thought it better to proceed, as the noble lord's attendance could not be ensured to-morrow, and recommended his hon. friend to withdraw his motion.

Mr. *Baring* said, he would withdraw his motion, not because he had altered his opinion as to the necessity of the noble lord's presence, but because business pressed, and he did not wish to bring the noble lord down with inconvenience to himself.

Mr. *Tierney* hoped that nothing that had passed would be thought for a moment to impose any necessity of attending on the part of the noble lord.

The debate on the Army Estimates was then resumed.

Mr. *Knox* then rose, and entered into a detail of the state of Ireland, which he contended, justified the amount of armed force which it was proposed to keep up in that country. Atrocious outrages were, he said, daily committed, and to withdraw the military force would be fatal to the loyal part of the population. The state of that country, and the feelings of the population, were proved by the manner in which the news of the return of Buonaparté had been recieved. The effect was electric, and showed that the hopes of the disaffected were cherished by the expectation of succour from France. That a peace with that country, however, was not sufficient to suppress the spirit of revolt, was proved by the fact that many of the most violent infractions of the law had taken place since the battle of Waterloo, and the occupation of Paris. It had been said, there was no plot or conspiracy in Ireland because no such plot had appeared on the trials at the late commissions. The want of evidence of such a plot, did not prove that it did not exist. The leaders of a plot would not entrust the knowledge of the plot to the rabble, but they would endeavour to promote a lawless spirit in the people which would be available to promote their designs. The Ribbon societies had been instituted with this view. The state of Ireland had by some been attributed to the rejection of the Catholic claims. This might be true; but obedience to the laws must be maintained, and it was necessary to protect individuals from the fury of the ill-disposed part of the population. He should therefore vote in support of so much of the estimates as referred to Ireland.

Mr. *Law* said it was with considerable reluctance that he offered himself to the House, but he felt it necessary for him to explain the apparent disagreement of the vote which he should give that night with the opinion which he had delivered as to the treaties of peace in the course of a former discussion. His dissent from the vote on that occasion, and his agreement with the vote on the present occcasion, were dictated by the same view of our engagements and our policy. He could not approve of the treaties, because he thought the peace which had been concluded was insecure, and because that peace was insecure he should vote for the large proposed establishments. He therefore thought those gentlemen on that side of the House inconsistent who thought the peace was insecure, but refused to maintain that force which alone could support it. He acknowledged that the danger from standing armies to our constitution was not inconsiderable; not that he apprehended the violence of an army which bore the proportion of one to five hundred to our population, but that he saw with pain the prevalence of a military spirit. Yet notwithstanding this internal danger, after a view of our actual situation with relation to the continent, he should not oppose, for the present year, the proposed military establishment.—There had, he thought, been two errors in the consideration of the peace establishment, the one, in supposing that it was a permanent peace establishment; the other, that it was an establishment for a permanent peace. As to the first error, it had been correctly stated, that this was an intermediate establishment. It was too much the habit of this country to conclude that what we wished must be accomplished, and that when the cause in which the danger originated had ceased, the danger must have ceased also. But we saw that the waves continued to roll when the storm was no more, and that this swell was more terrible than the tempest itself. We had many dangers to apprehend from two causes,—the hostility of governments to their subjects, and of subjects to their governments. This hostility threatened a renewal of the war, and a great obstacle to the renewal of war had been removed. The small principalities and small republics, with the worst possible governments, combined the greatest quantity of practical happiness. He spoke from personal observation, that in the territories of many of those states, there was the greatest desire to return to their former governments. These governments had been supported by opinion—they had no armed force—no taxes to maintain an armed force. They were strictly paternal; that was to say, without any security for personal liberty, the subjects actually enjoyed much liberty. These states were now no more; in Italy, the French, who were said to have done harm wherever they went, did much good. They gave the Italians public spirit, they gave them education, they gave them courage, they gave them a desire of liberty, a confidence in themselves, and a wish for a general united government. These considerations had all been overlooked by the congress at Vienna—they had left Italy divided, discontented, and insecure—they had united by force Genoa to Sardinia, and Lucca for the first time ceased to have a separate existence. They had joined Ragusa to Venice, Venice to Lombardy, and subjected the whole to a government which all Italians held in the utmost abhorrence and contempt. The hon. gentleman observed, that similar danger was to be apprehended from the state of Germany. But the most alarming source of danger was to be found in the position of Russia, whether we looked to the extent or the character of her population. That character was in no degree changed, however the amount of the population had increased, or the frontiers of the empire had been extended, since the time when lord Chatham had described Russia as moving eccentrically in an orbit of her own, and as governed by a power in which assassination stood in place of the functions of Lords and Commons. With her left washed by the Baltic, her right by the Black Sea, and her back resting on the confines of the world, she wielded the elements of nature as means of defence, and poured forth an inexhaustible population when necessary to foreign or distant war. With such views, then, and such means, it behoved this country, as well as other states, to guard against any deluge of those Northerns upon the South of Europe. But there was another and a serious danger against which it was wise on our part to provide, namely, the general demoralization of Europe, which demoralization had been, by the way, produced, in a great measure, by the conduct of our great allies. For with them originated the partition of Poland, and until that original sin was wiped away, it was vain to calculate upon the restoration of morality in Europe. This atrocious partition, and all the circumstances connected with it, was one of the main causes which served to pollute the progress, and aggravate the horrors of the French revolution. But the evil effect of this prevalent immorality upon the continent was, that when we talked of morality the continental people laughed at us, and coveted only our money. Under all these circumstances he felt that the proposed peace establishment was necessary, at least, until we should be fully assured of the pacific disposition of the continental powers. For should a war suddenly take place what must be the fate of the Netherlands, which could not be defended without our aid? That state in which we naturally felt such an interest, would in that event, be liable to an immediate incursion from France; and what was not to be apprehended from the vengeance of the exasperated people of that country, if the force of this empire was not prepared for its protection? He remembered to have heard it said, that this country was so preeminent in power that it might from the security of its elevation look down with indifference upon the combatants below; but he trusted that a degree of benevolence would be always found to belong to Great Britain, that would dispose it to interfere for the purpose of restoring peace and doing justice. With this view, in order to maintain our ascendancy, and ensure our safety, it was wise to hold ourselves in a state of due preparation. There was some good sense in ancient mythology, in which the goddess of wisdom always appeared in armour; and it would be wise in this country, if it desired to preserve treaties, to be armed with the means of securing the observance of them.

Lord *Folkestone* said:—Mr. Speaker; I am anxious to offer a few observations to the House on the present question; and am the more pleased at having caught your eye at the present time, as I am desirous of calling the attention of the House back to the real matter in debate, from which different gentlemen last night, in some degree, digressed, and with which the speech of the hon. gentleman who spoke last, eloquent as that speech was, and forcible and important as many of his observations were, had very little to do.

Before, however, I apply myself directly to the question, I cannot refrain from noticing the speech made last night by the right hon. gentleman opposite (Mr. Peel). That speech, delivered in a most prepossessing manner, and being, from the nature of the matter to which it peculiarly referred, of a most interesting description, has naturally excited particular attention. Melancholy, indeed, is the description which it gives us of Ireland, and loudly and imperiously does it call upon us to pay to it our most early and serious attention. To that part of the estimates which refers to Ireland, I, for one, after this account so given to us, this woeful picture so pathetically drawn by the right hon. gentleman, shall not object; except that I think the House would not do its duty if it voted the number of men required, 25,000 men, for the whole year. I think they should be voted, but only for five or six months, in order that this House may in the mean time inquire, may investigate the causes of this calamitous situation, explore the remedies, and endeavour to apply them; and in the hopes that, before the expiration of the period, we may have been able to render so large a force in Ireland unnecessary. But, if we deplore the state of that country now unfolded to us, what shall we say of a government who, seeing that it has been for near twenty years falling from bad to worse, under the line of policy that has been adopted; seeing that no evil was removed, but that every source and cause of its distress was yearly and monthly gaining strength and increasing; who seeing all this, have notwithstanding never thought of adopting or trying some different line, but have pertinaciously persevered in the same pernicious and ruinous course of proceeding? What shall we say of a government who, under these circumstances, did not deign to mention even the name of Ireland in the speech from the throne at the opening of the session? What shall we say of a government who, now that the House has been six weeks assembled, have in this debate, for the first time, undertaken this melancholy task; and who have now done so, not in a manly manner for the purpose of redressing its grievances, but with a side-wind, in a bye question as it were, for the purpose of effecting a particular object, the obtaining a vote on the army estimates?

Sir, another right hon. gentleman, who spoke last night (Mr. Robinson), very eloquently charged those who, like myself, think that these estimates should be sent back unexamined, and should not be submitted to the committee; he charged us, I say, with a strange inconsistency of conduct. "What!" said he, "you admit this is a question of degree. Nobody contends that there should be no standing army at all; it therefore is purely and simply a question of degree. Now, how or where can that degree be settled but in a committee? and yet you object to go into that committee." Now, Sir, this appears to me to be one of those arguments, which, by proving too much, proves nothing at all. I do admit that it is a question of degree; but then my answer to him is this—that the demand you make on me is so enormous, that I will not entertain it at all; I will not canvass it, but reject it altogether. I will put a case to the right hon. gentleman—Suppose these army estimates raised the establishment not to 150,000 men as it does, but to 500,000, would he himself then argue that they ought to be entertained at all? Still it would be a question of degree; yet I do not think there is one man of the House who would think of going into a committee on them. I admit that I have put an extreme case—the way to try a principle is to put an extreme case; and though the estimates before us are not so excessive, they are in my mind sufficiently so for them to be treated in the very same manner. But then the right hon. gentleman used another argument; not only, he said, that this was a question of degree, but that we, if we objected to the size of the estimate, must prove that it was excessive. I say quite the contrary: I say the *onus probandi* is on the gentlemen on the other side—they must prove that the troops demanded are necessary, not we that they are not; and for this plain reason amongst others, that it is quite impossible that we should be able to do so. The ministers who are officially acquainted with the state of the country, the dangers that may be threatening it from without, and the probability or improbability of its repose being disturbed either within or from without, are able and ought to be willing to prove the necessity of a force, wherever such necessity exists, and should not call for it, if it does not. But how by any possibility can we, who know of the state of affairs only just so much as the gentlemen opposite, or the newspapers inform us; how are we to take upon us to decide—how can we attempt to prove, that the necessity alleged or supposed does not exist? Nor let it be said, that we should not object to the force, if we are unable to disprove the necessity of it. The constitutional rule no doubt is,—the right hon. gentleman will hardly dispute that—the rule is, that a standing army is not to be endured. The modern practice has relaxed the rule, and I am not going to quarrel with that practice; but still the rule exists, and is to be dispensed with only on the proof of necessity; and that proof of necessity the gentlemen on the other side must produce. I maintain, therefore, that *primâ facie* these estimates are enormous, and that in the absence of all proof of any necessity for them, we ought not for one moment to entertain them.

Sir, in further examining this question, it naturally divides itself (and has accordingly been so divided, by most of the gentlemen who have spoken on it) into two parts—the financial and the constitutional—both important, especially at the present time; important in themselves and in their consequences; but the latter, in my mind, so infinitely outweighing the former, that I shall detain the House only a very few moments on the first part of the question. But I cannot abstain altogether from noticing a very curious argument, produced the other night by a right hon. gentleman opposite (Mr. Yorke), viz. that even if we were to disband the whole army at this moment, the necessary expenses intailed upon us by establishments which have been for some years growing up, partly by charitable establishments (of which a word or two by-and-bye), by half-pay, &c. these unavoidable expenses would amount to or exceed, the whole charge of the army during the last peace. Now, Sir, if this argument had been used for the purpose of persuading the House to retrench as much as possible, to lower every expense to as small a scale as by any means could be done, to economize scrupulously, to reduce this establishment, I should have understood it; but when it is urged by a gentleman in support of his extravagant demand, when he tells us that our necessary expenses are so very large, and thence draws an inference that to those we are to add others, which I am sure might, and I think ought to be avoided, this seems to me a most curious argument indeed. Yet the right hon. gentleman was so fond of this argument that he recurred to it some half dozen times in the course of his speech. And in this part of the subject, I should be glad to hear from the chancellor of the exchequer how the enormous expense of this extravagant establishment is to be provided for?—by the income tax? Is he quite so sure, after what has passed here this very evening, that he will be able to carry his favourite property tax? And suppose he does, is he quite sure that it will satisfy the demand? For my part, I believe not—I trust that it will not be passed at all: but if it is, I am quite persuaded that though it may produce much distress, infinite calamity, extreme dissatisfaction and discontent, that it will yield very little money indeed.

I pass over this part of the subject with these few observations, not because it is not deserving the most serious consideration, but because I am unwilling unnecessarily to detain the House, and I wish more particularly to press on their attention the other great consideration, in my opinion infinitely outweighing the former, viz. the serious and imminent danger to the constitution, to the rights and liberties of the people, which the establishment of this great standing army in time of peace presents.

The right hon. gentleman before alluded to (Mr. Yorke), who took so large a part in the discussion at the beginning of the debate, told us, that a standing army could never be dangerous, because they came annually under the review and cognizance of parliament; that as this House annually votes the number of men and the money to pay them, they may abate the nuisance whenever it arises, and get rid of the danger the moment that it threatens. To this argument, I can by no means subscribe. In the first place, having once passed the vote, we have no power in the case for twelve months; and in the second place, putting out of the case, for the present at least, the danger of a more open attack on our privileges, by calling in the soldiers to overawe and directly to influence our divisions (a danger which if this system is persevered in, I am far from thinking impossible or improbable), laying aside for the present any consideration of such open and armed interference, I ask if much is not to be dreaded from the power which will thus be put into the hands of the Crown, to influence secretly the votes of members? We are told that the patronage of the army can have no such effect; I cannot conceive that any gentleman would seriously urge that argument out of the House. Does not all patronage give influence? in the case of individuals as well as of the government? and putting aside the proofs of such influence, which your journals will afford you within very few years last past, I am sure that it must be obvious on the slightest consideration, that the patronage of so large an army must be in the hands of the Crown, a most potent engine to influence the votes and to affect the decisions of this House: so that this power now conceded, it may not be possible ever after to recover it.

Another argument used by the same right hon. gentleman, to my mind equally extraordinary, is this, that this large army cannot be unconstitutional if legally and regularly voted by this House, according to the accustomed forms. This I positively deny: a thing may be quite legal, and yet directly unconstitutional. The Habeas Corpus act may be suspended by law; but will the right hon. gentleman maintain that such suspension is constitutional,—that a man can constitutionally be deprived of the benefits of the provisions of this act? Why, Sir, the contrary of this is so notoriously the case, that I protest I am quite astonished to hear the right hon. gentleman gravely use such an argument. Does he not know, or has he forgotten, that there is a declaration of lord Coke's precisely against him, that that great lawyer has declared that the rights and liberties of Englishmen are so secured, that the provisions of Magna Charta are so sacred, that an act of parliament passed in contravention of them, is not binding? Nor is this a mere *brutum fulmen*: it is a doctrine, which has been acted on. Sir, many years ago there existed some able financiers, as able as the present chancellor of the exchequer, by name Empsom and Dudley; these men did most unconstitutionally extort money from the people; they had acts of parliament too, but this did not screen them: they were impeached for their misdeeds, and suffered the penalty for their misdeeds. As little weight therefore as I gave to the former argument of the right hon. gentleman, just as little do I allow, and I trust will the House allow, to this.

But the character of the officers of the army is our warrant that no danger can arise from them. I am as willing as the right hon. gentleman himself, or as any man in the House or out of it, to estimate highly the character and principles of the officers of the army. I admire their great and glorious deeds of arms, and to judge from the different consequences which the right hon. gentleman and I would draw from them, admire them more and esteem them much higher than he; for I say that they have placed us in that state of security, have so raised our own military character, and have so far surpassed the exploits not only of our enemies, but of all other nations, that we have no reason to keep up this great military preparation; that we may repose on our laurels, and trust to our fame for our security. I know no other advantage attending great military reputation than this, that it is a mean of defence, and a security from attack. This advantage the army has obtained for us by their labours and their blood; and it appears to me no compliment to them to refuse to avail ourselves of it. I am quite willing therefore to trust our defence to their hands in times of war; in future wars as in past, I am sure it will be complete in their hands. Not so, however, the keeping of our liberties,—I do not mean to say that any one of the officers of our army, or any body of them, would wish to subvert the liberties of the country, or has any intention of doing so; but I do say, that they must be entirely in other custody and under other protection. An officer is not a free agent, he is a man under control and authority; discipline necessarily requires that. Besides the habits of military subordination, the *esprit de corps* which they necessarily imbibe, every part of the life of a military man is inconsistent with feelings of liberty. And I ask the House whether we do not daily see before our eyes proofs that a military spirit is very prevalent amongst us; the affectation of a military dress is an evident sign of this, and of the desire to make the military an exclusive order of men, separated and apart from the rest of the community. I do not blame the officers for this; it is very natural for young men proud of their exploits to indulge the feelings of satisfaction which the praises and admiration of the world have excited, and if they were left to themselves, I should not anticipate much mischief from it. In a few years they would lose these military notions, would return to the habits of civil life; but I fear they will not be left to themselves. There is a desire, I repeat it, there is a wish and intention to keep up this military spirit, these military feelings. An exclusive military order is a strong proof and a most powerful engine for this purpose: and is not this engine set to work? Another mode is this new Military Club, an institution of which I cannot speak with too much reprobation, where military men alone are admitted, and where of course the general topics of conversation must be of a military nature. I know, indeed, that an attempt has been made to include the navy in this institution; but although I have very different feelings on such subjects with respect to the officers of the navy and the army, not on account of their private characters, but on account of the nature of their services, this, be it remembered, was only an afterthought, when the institution began to excite attention, and after all does not by any means do away the objections I feel. But to return to this affectation of military dress: is it confined to the younger officers,—is there not a general officer of very high rank both in the army and in the state, (the marquis of Anglesea) who always travels about attended by a hussar? Do we not see officers riding about the streets of London attended not by a groom in livery, but by a dragoon in regimentals? I know perfectly well that an officer in quarters or on duty is attended by an orderly soldier, on foot or on horseback as the case may be; but it is quite new to me to see (as I have done twice within these two days) an officer not on duty, for he was in plain clothes, riding about followed by a dragoon.

Mr. Speaker, I dwell the more on this subject, because I am ready to confess that I have long felt great apprehensions of the military spirit which exists in certain quarters, and which the nature of the times in which we live has given a force and extent to, which I think truly alarming in a constitutional point of view. I do believe, in my conscience I firmly believe, that there does exist, and that there is firmly rooted, an intention and design of establishing a military government in this country. I have long entertained the apprehension, and it has been confirmed to me by a variety of circumstances, some perhaps in themselves trivial, and if they had stood alone, not to be dwelt upon, but which taken together are sufficient to alarm every man attached to the constitution, and to arouse the jealousy of every friend of liberty. With the leave of the House I will mention some of these matters.

Sir, in the course of last night's debate, an hon. friend of mine (Mr. Wynn), in a speech which, from the confusion unfortunately existing in the House, I heard but imperfectly, and which was imperfectly heard by the House, stated some of these circumstances, and as I cannot help thinking them of importance, I will beg leave to repeat them. Every body who hears me has witnessed the number of troops that are on duty every time there is a levee at Carlton-house. On every such occasion those who have the honour of paying their respects to the Prince, have to drive down from the top of St. James's-street in the midst of horse-guards. The whole quarter of the town is filled with troops; the cross streets are closed by them; no one can go about his private concerns into those streets; the King's highway is stopped; those who live there cannot approach their own houses in carriages at least, and that part of the town is for the time, entirely under martial law. Now this is quite new within my memory; I have myself been to levees and drawing-rooms at St. James's without seeing a soldier, except in the court-yard of the Palace; half a dozen constables, and a few marshalmen, were all that were necessary to keep order, and for ought I ever saw they did so very effectually. Again, when the Prince comes down to the House of Lords at the opening and close of the session, all the streets leading to this House are quite blocked up by dragoons,—Parliament-street is absolutely lined with them,—all access to Westminster-bridge is stopped,—no carriage is allowed to pass, and even the carriages of members are stopped,—nay, on foot you are not left at liberty to choose in what part of the street you shall walk, but if you take a course contrary to the military order, you are most unceremoniously turned back. This was never so in the King's time. When his majesty came to his parliament, he used to come in his state coach, attended by a certain number of horse-guards, who preceded and followed the carriage; but except these attendants, no more soldiers appeared on that day than on ordinary occasions; there was then no lining of the streets, no officers trotting at the side of the carriage. His majesty was pleased to show himself to his people, and did not think it necessary to keep them at a distance from him, by this sort of military display. What the object or meaning of all this is, I am at a loss to guess, unless it be to assume the forms of a military government. I know no danger to be guarded against. I see nothing in it but an offensive violation of our old constitutional habits and notions.

Nor is it only on these occasions of parade and state that the military have thus been called on to act. I have been informed, for I was not in town, and had not the mortification of seeing it, that two years ago, when the foreign sovereigns were here, on the occasion of a ball given by White's club, and another by the marquis of Hertford, a regiment of dragoons were stationed about the town to regulate the carriages and to keep the peace. A pretty use truly to make of dragoons! We are not to object to these military establishments out of delicacy for the army to which we are so much indebted; but I, for one, out of regard to the army, in consideration of their past deeds, in consideration of their future discipline, do object to their being put to such uses, to such ridiculous and degrading uses. But I may be told, that it is very convenient. I have often been told this, when I have mentioned these things in conversation. I know it is very convenient, and this convenience has induced persons to submit without murmuring, to these dangerous innovations. But I know, too, that for many purposes, for all purposes of police, an arbitrary government is extremely convenient. Sir, some years ago I passed some time in Russia; these matters were managed there very conveniently indeed. If you went to a ball, every thing was well regulated—no whipping and flogging—no carriages broken. First came the carriages with six horses, then those with four, then those with two: all was as regular as a guard-mounting;—nothing could be more convenient, but nothing more inconsistent with a free government. An arbitrary government has its advantages, and a government of law its inconveniences. But I, for one, prefer a free constitution with all its inconveniences. It is the constitution of this country, and I will not tamely give it up.

Other instances may be produced (and every man who walks the streets may convince himself of their existence) of the increase of military guards and sentries all over the town. There is scarce an exhibition opened, but immediately a couple of sentries are posted at the door. The British Museum, the Picture Gallery in Pall-Mall. What on earth have soldiers to do there? What danger is apprehended? What are these sentries to guard against? For my part, I verily believe that this is done for the mere and simple purpose of accustoming the eye of Englishmen to the sight of soldiers intruding into and superintending all our concerns. What need is there of soldiers at Somerset House? Within this year or two, for the first time, we have sentinels posted there. But there is no use in multiplying these instances.

There is another circumstance in itself perhaps a very trivial one, and which it may be thought offensive to mention: if it is, I can only say, I mean no offence. But I will mention it, for to me it is particularly disgusting. It is this, that on all occasions of dress or show the Regent always appears in a military dress—at the levees at Carlton-house his royal highness always is dressed in a military uniform; and on every other occasion, when dressed clothes (as it is called) are worn. Formerly, when the King used to come to his parliament, he came in a plain dressed coat of the usual fashion, and wearing his crown; but the Regent is always advised on such occasions to appear in a field-marshal's uniform, and with an immense cocked hat upon his head.

All these circumstances, Mr. Speaker, though each by itself may be trivial and unimportant, yet all of them taken together, form, I think, a strong mass of evidence on this subject. They prove, I think incontestibly, that we are gradually adopting military habits and military ideas, and that we are imperceptibly lending ourselves and submitting to military modes of proceeding, military appearances, and military forms of government. And I presume I need hardly point out how totally inconsistent these are with any thing like civil freedom.

But if I feel any jealousy or alarm for our liberties from the circumstances which I have taken the liberty to detail to the House, there are, I think, some others which are calculated to increase my fears in no small degree. There is in these estimates provision made for certain charitable institutions, to which the right hon. gentleman (Mr. Yorke) alluded the other night with great commendation. In that commendation I cannot join. These institutions I must extremely reprobate, as totally inconsistent with all our old received notions of constitutional liberty. The first I shall mention is the Military Asylum at Chelsea for the education of the children of soldiers; this was, I doubt not, in the first instance, established upon grounds of charity merely; but whatever the motive, I am not the less hostile to such an institution; for we have here a large number of children educated as a class totally distinct and separate from the rest of their fellow subjects; brought up from their earliest infancy to the peculiar modes and habits of a military life,—doing every thing with military rule and precision, and in military form,—called together by beat of drum, to their school, and to their meals,—and in no degree joining in the pursuits or amusements of civil life. Another institution of the same description is the Military College, for which also provision is made in these estimates; and this institution I view, I confess, with still greater jealousy, as applying to persons of a higher order in society, than the asylum just mentioned. What would our ancestors some fifty or sixty years ago have said at the idea of the establishment, in this country, of a large college, for the purpose of giving an education purely and simply military to a numerous body of young gentlemen? Here, too, as in the last case, every thing is done in a military style; the habits acquired are altogether military; the education may be excellent in that way (I have heard, indeed, that it is not), but it is a military education, calculated to render those who are the objects of it a distinct and separate class, unaccustomed to and unfit for the usual life of an English gentleman,—with no civil pursuits,—no knowledge of or veneration for our civil institutions. Does the House think, for instance, that a young gentleman educated in the college could be well qualified to undertake the office of a justice of the peace? or that his administration of the laws could be very mild or gentle? Sir, I say that this is a most dangerous institution. In time of war, indeed, there might be some pretence for it. It might be said, that having to contend in arms with regularly bred soldiers, who from their infancy had been trained to military life, and drilled in military manœuvres, it was necessary to supply ourselves with a similar arm to withstand them. I think that this is no good ground. But what shall we say in time of peace? Do we want these military gentlemen now? Or are we to train them up from this time forward to the great danger and damage of our liberty, because we may some time hereafter be glad of their assistance?

Sir, I will not detain the House by quoting or referring to books on this subject. It would be in vain that I should quote Blackstone, or De Lolme, or Montesqueiu, on the dangers arising to civil liberty at all times from a separate and distinct order of military men in a state. I say, I need not quote these opinions, because I am met *in limine* by the right hon. gentleman (Mr. Yorke), who tells me, that "the times are changed. These doctrines may have been very good formerly, but the times are changed, and they do not apply to us now. It was true, in former days, that the constitution abhorred a standing army in time of peace; but the times are changed, and you must now have 150,000 men." Sir, I say, too, the times are changed—woefully changed—and still more changed will they soon be, if this goes on. Sir, I say if this goes on, the times are changed, and the British constitution is gone. Indeed, I should have expected, from the manly character of the right hon. gentleman, that he would have spoken boldly out on the occasion,—that he would not have sheltered himself under the plea of legality, or under the pretence of a change of the times. Why did he not tell us at once that the constitution was unfit for these times; that we must change our habits, and give up our ideas of liberty, and submit to a military government? We should then have known where we were. Sir, I repeat it, the times are changed, or we should not so long have borne these things. But we may yet retrace our steps, we may repair the injuries committed; but if we do not this without delay, this very day, by refusing to entertain these estimates, the constitution is gone indeed.

Sir, we are told, that all this numerous body of troops is necessary in consequence of the increased size and number of the establishments in the country, of the dock-yards and depots. And here I cannot omit to notice by the way, that when the hon. gentlemen opposite really have some good ground for justifying the demands they make upon us, as in the case of the Irish establishment, they refuse no explanation, and withhold no details; but with respect to England we can get nothing but general expressions,—no particulars are given: they talk of our increased establishments, our dock-yards, and depots;—now as to the dock-yards; the three great arsenals of Chatham, Portsmouth and Plymouth, as far as they relate to the navy, I do not believe that they have been increased at all in size; and if the increase of stores accumulated in them is meant, why then what has been said, or what can be said in answer to the argument used by my hon. and learned friend (Mr. Brougham) the other night in ridicule of the idea, that an increase of stores required an increased number of men to guard and protect them? Then as to the depots. Now, Sir, I object to the word depot; first it is a military term, then it is not an English word, and mainly I object to it because it is used as a cloak, to disguise something that it is not wished to name,—something that might sound very offensive to English ears, at least if English ears were constituted as they used to be; for what in truth is meant by this word depot? and how would an English House of Commons some few years ago have started with astonishment and dismay, if they had been told, that they must vote an army of 150,000 men in time of peace, and that 25,000 were wanted for England and Scotland, in order to guard the arsenals and fortresses erected in different parts of the kingdom. Fortresses! military fortresses in England!! But, says the noble lord (Palmerston), they are numerous, and been raised at an immense cost, and would you now let them go to ruin? I know, Sir, that they are numerous; there is an arsenal and immense fortifications at Woolwich: more at Chatham: more at Dover: there is no end to the towers, and castles, and ditches, and breastworks, that are to be seen; and I know full well too, that all these things have cost millions upon millions of money; but all this is no reason with me for spending still more to keep them up,—on the contrary, I should be much better pleased to see them moulder into dust; for thus to spend money to preserve them, merely because so much has already been spent in the erection, which is the noble lord's argument, is, to use a familiar expression, only throwing good money after bad.

There is, however, another argument which has been much insisted on, particularly by a right hon. gentleman, on the first night of the debate (Mr. Yorke), and which seems to have had weight with some gentlemen, but which appears to me to be founded partly on a fallacy, and partly on a mistake. "Our wealth," says the right hon. gentleman, "is much increased; our population is augmented; our territories are more extensive; — in short, the increased prosperity of the country requires this increase of military establishment." In the first place, I would observe on this argument, that it is most extraordinary that our increased prosperity should require that which would be required by a state of things precisely the reverse; that the prosperity of England, and the distresses of Ireland should superinduce the same consequence an increased army of 25,000 in each country is extraordinary indeed. In the next place, I should answer, that if we are in a state of prosperity, we have attained to that state without ever at any former period of our history keeping up such an establishment, and that the happy result of our former policy is a strange reason for altering it. But to examine this argument more particularly; the right hon. gentleman says, our wealth is increased. Till the right honourable gentleman went on to the end of the sentence, and talked of our prosperity, I really suspected that instead of wealth, he meant to state poverty. The petitions with which your table is crowded, prove that that term would have been much more applicable, and then indeed there might have been some force in the argument,—for I can understand that a poor distressed, discontented people may require a large force to keep them in order; but why the increase of wealth and prosperity should make such a force necessary, unless they are to guard us and our wealth from thieves and robbers, I am at a loss to divine. As to the extent of our empire; I do not know that a great extent of empire is a good *per se*: I am myself very much inclined to think the very reverse, and that it is, abstractedly considered, no subject of congratulation to this country at least: but we have always been reconciled to it by an assurance that it would increase our security. If, however, in this we have been deceived, as it now appears we have, and this extent of territory, instead of adding to our security, only superinduces the necessity of a great increase of force, let us by all means get rid of it at once, and ease ourselves from the burthen. But lastly comes the favourite part of this argument, the increased population. If, as the hon. gentleman who spoke last seems to imagine, it is quite necessary that the army should bear a certain proportion to the population; if this were the case, then undoubtedly as the population increased, so must the soldiery. But I see no reason for such proportion,—on the contrary, the larger the population, and the more able to defend itself (for be it observed the right hon. gentleman brings in aid of this argument the extent of military knowledge diffused into volunteers, and militia, &c. &c.) the more able, I say, the population is to defend itself, the less does it want an army to defend it. On this subject, I really should be glad if gentlemen would be a little more explicit, and tell us openly whether they require this army to defend the people against their enemies, or whether they require it as against the people themselves. If the former, the argument is ridiculous; if the latter, unconstitutional. That, however, the latter is really their meaning, I have little doubt; and I am the more convinced of it from what passed in this House a few years ago. A short time before the death of Mr. Perceval, a discussion arose in this House on the subject of erecting barracks at Liverpool and Bristol, which was objected to on the ground of expense;—the answer given by Mr. Perceval on that occasion was, that "the towns had of late years very much increased in size and population, and that barracks would be necessary to keep the people in order!" To keep the people in order! gracious heavens! what are we come to!! Sir, I protested against that doctrine then—I protest against it now; solemnly, sincerely I protest against it, as contrary to the constitution, as novel and dangerous, as subversive of our liberties, and I protest against the present attempt to give effect to that doctrine, by maintaining a large standing army in the country in time of peace.

"But you are inconsistent," says to us the hon. gentleman who spoke last; "you think the peace insecure, and yet you object to these establishments."—His Majesty's ministers and their friends are, according to the hon. gentleman, equally inconsistent, for they ask for these establishments, though they profess to think us in a state of perfect security. I agree with the hon. gentleman, that his Majesty's ministers are quite inconsistent; but I do not agree with him, that he himself is the only consistent man in the House, because I see no inconsistency in myself and in my friends around me;—we say, the peace is insecure, not likely to be lasting;—we therefore say, expect and be prepared for another war, and for that purpose husband your resources—economize every shilling you can—call not on the people for any exertion further than the obvious necessity of the case requires. Show them, in short, that when you can spare them you will—that you do not harass them and tax them for the purposes of show or parade—to satisfy your vanity or whim—and then be assured, that in the time of danger, when you make your call, your call will be again answered as it has heretofore been, and you will command the purse and the utmost exertions of a brave and affectionate people. But if you harass them by exertions when they are unnecessary, and waste their strength on projects of foolish display, when their utmost efforts are wanted, you will have nothing but an unwilling and listless obedience. Sir, the hon. gentleman thinks that we shall be again plunged in a war in the course of a twelvemonth. He has taken up the cudgels for his Majesty's ministers on this occasion, and I heartily wish them joy of their champion. For how does he defend them; why, he tells you that all the treaties they have entered into are so hollow—all their arrangements so inadequate to the circumstances of the different nations of Europe—all their views so absurd and mistaken, that within twelve months we shall probably be again engaged in war. I admit that he did not say this in as many words—but that was the jit of his argument; for he maintained, that this large establishment was necessary for a year;—"but," says he, "if every thing continues quiet during that year, I shall then think a reduction may take place." I say then, I wish the ministers joy of their champion. For my part, I sincerely regret that the noble secretary of state is absent on this occasion. I lament the cause, and I also lament the effect; for I should like to have heard him give some answer to these strange statements, so ably and eloquently put by the hon. gentleman. Indeed I wonder that the hon. gentleman himself did not desire his presence; and I confess, I am not a little surprised that the hon. gentleman, after having expressly interfered to prevent the House from waiting for the noble lord's presence, should get up and let off such a shot at him, as I protest I should be unwilling to fire against any gentleman in his absence, though I were not at all connected with him. I do not agree, nor do I believe any gentleman around me, I think probably none in the House agree with the hon. gentleman, that the peace will not endure a year. But even if that were my opinion, I, for one, would still object to these estimates. For the satisfaction of the people, groaning as they do—for the satisfaction of the spirit of the constitution—I would relieve them from the burthen were it only for a few months—and I am sure I should be amply repaid by their readiness to answer any future calls which may be made upon them.

Sir, I have detained the House I fear too long, indeed, I am quite ashamed to observe how long I have detained them on this subject,—but the apprehensions which I have attempted to describe and explain the grounds of to the House, have long pressed upon me;—they are now reduced to a melancholy certainty. These estimates are in my mind the proof, the certain proof that my fears are neither visionary nor premature. There does exist a determination, a settled, deep-rooted determination to substitute a military despotism for our free constitution, under which and by which we have so long prospered.—I lament this determination, but I cannot doubt it—I still more lament that any set of ministers can have been found ot lend not only the weight of their characters, whatever that may be, but also the weight of their official situation to such projects, by presenting to the House such estimates as these. But still more sorely shall I lament and grieve, if the House adds to all this, so much of its sanction as to entertain them and suffer them to go to a committee. I entreat the House to be careful what they do—to well weigh the consequences—to look to the result as they shall answer for it to their country and posterity.

Sir, I need not add that I shall vote against the proposition to refer these estimates to the committee of supply.

Mr. *Law* rose to explain. He said he should always deliver his opinions in parliament with perfect freedom, and with perfect indifference as to who the person might be whom he considered in fault. He must deny, however, that he said the country was on the eve of a war. He only alluded to the actual state of Europe, which he considered to be so insecure, that it was necessary, in his judgment, to arm the hands of ministers with a power that might enable them to negociate with effect. He made no pointed charge against the ministers. It was not in their power wholly to prevent what had recurred in Europe, though he certainly thought they might have done more than they did, while at the same time he willingly admitted they had done much to ameliorate its condition in many respects.

Mr. *Robert Ward* said, he hoped the House would permit him to occupy some part of its attention, while he took a general view of the arguments which had been advanced on the other side of the House; and first of all, he could not help adverting to a prophecy with respect to the present discussion, which his noble friend had ventured upon on a former evening. His noble friend, in agreeing to the adjournment, had said, he was sure that the more the question was examined and sifted, the more it would redound to the discomfiture of those who opposed it; and he would ask of the right hon. gentleman opposite, and those who followed in his train, whether that prophecy had not been fulfilled? [Here some noise prevailing, the Speaker called to order at the bar.]

Mr. *Brougham* rose, not, he said, to enforce order on the floor of the House, or below the bar, but to demand that something like order should be introduced into the language used by the ministerial side [Hear, hear!]. They had heard on a former night from the noble lord who was now absent, a recommendation to introduce better discipline into their ranks, and now they were told that they were in the train of a right hon. gentleman. One thing, however, was certain, that whether they were in a train or not, at least they received no pay [Loud cries of Hear, hear!].

Mr. *R. Ward* resumed, that if this meant to imply that men did not act from opinion because they were in office, he utterly despised the accusation; and he would repeat, that all but those in the train of the right hon. gentleman would agree, that the investigation the question had received had opened men's minds to its propriety.

Mr. *Lambton*. The assertion is unfounded, that any gentlemen on this side of the House act in any man's train. Let the right hon. gentleman name those who do?

Mr. *Bennet*. After having made the assertion, it is imperative upon the hon. gentleman to do so.

Mr. *Vesey Fitzgerald* thought that no man had a right to call his hon. friend to order for the expressions he had used, and still less to ascribe to him, because he held office in administration, motives less honourable than those which actuated other gentlemen.

Mr. *Brougham* denied that he had imputed motives to any one. He simply stated a fact which could not be denied. He did not say that the hon. gentlemen opposite were actuated by motives less honourable than any other members of that House, but he stated an undeniable position, that their situations were more lucrative.

Mr. *R. Ward* replied, that as the hon. and learned gentleman had abandoned his allusion, he should most willingly accept the explanation in the sense in which it was offered. He certainly understood him to mean, that those who were in office were in the pay of the minister, and therefore forced to give up the unbiassed and independent exercise of their judgments. For himself he could only say, that he despised any such allusion.

Mr. *Brougham* begged leave to say, that he abandoned nothing, and that he had given no explanation.

Mr. *Stuart Wortley* said, he was compelled to make the observation, that many persons in that House thought the hon. and learned gentleman assumed a tone and manner which were most improper. He took upon himself to school every one in what he conceived to be their duty. [Hear, hear!]

Mr. *Ponsonby* said, he did not know whether any disorderly language had been made use of before, and he had no doubt if it had, that it was through inadvertency; but he was sure that when the hon. member talked about another hon. member schooling that House, such language was disorderly, and he presumed he could not be aware of the force of the expression.

Mr. *Stuart Wortley* replied, that he should be sorry to use any expression which might imply disrespect for the talents of the hon. and learned gentleman, which he duly appreciated. He must say, however, that the word "school" was the only one which, in his opinion, correctly expressed his meaning. The hon. and learned gentleman complained of the expression as applied to the other side of the House, in describing them as being in the train of another; but surely that language was not worse than what was employed in characterising their opponents as the minions of government.

Lord *Ebrington* rose to order. He was not aware that any such expression had been used.

Mr. *Stuart Wortley* said, he would take upon himself to say that he had heard that expression in the course of the debate on the preceding evening, though he was not sure whether he was in order in referring to what passed on a former occasion. As a proof, however, of the conduct of the hon. and learned gentleman, he would only allude to the manner in which he thought proper to give a lesson to the honourable member for Devonshire, with respect to the mode of presenting even a petition.

Mr. *R. Ward* said, the proceedings of the hon. gentlemen opposite, if their object was to create delay, were well calculated to accomplish that object. All he meant to insinuate by saying that they were in the train of another, was nothing more than what the House perfectly understood on both sides. They linked themselves together, elected a sort of leader, and followed that leader [Cries of No, no, from the opposition benches]. With regard to the question before the House, he wished chiefly to speak to it in consequence of the strange exaggerations and misrepresentations persisted in with astonishing pertinacity, and which made it necessary to recall the real facts to the recollection of the House. The hon. and learned gentleman (Mr. Brougham) had from first to last called the military establishment 150,000 men, and the expense of all the establishments together, 30 millions. This had been repeated by other gentlemen, though over and over again contradicted, and though it had been proved to the plainest comprehension, that the men were no more than 99,000, and the expense about 20 millions. It was to investigate this that the House was really called upon. But another hon. gentleman (Mr. J. P. Grant) had said, he would not even listen; and thus a Whig who was perpetually calling for investigation, would not investigate when the thing was offered. Yet the hon. gentleman might have received a lesson upon this rashness, from his own friends, particularly the member for Waterford (sir J. Newport) who owned that the 25,000 for Ireland were absolutely necessary. This, then, immediately brought them into details, which honourable members affected to despise, and proved that the principle was right, and the question was only one of degree. There were three grounds of objection—the constitutional, the political, and the economical. He would address himself to them all. As to the first, it was remarkable, that the standing army was the child of the Revolution and of the Whigs. It had existed for a hundred years, and all the prophecies that it would enslave us had failed. It was still more remarkable, that the only army in England that had really destroyed the constitution was the army of liberty, under Cromwell; while the army of despotism under James 2nd had refused to side with him when invited. Jealousy had been recommended; and he, too, was for jealousy; but not so chimerically as the noble lord, who would have us destroy all our fortifications, from the fear of the bugbear of his own imagination, and expose us without defence. History taught us serious things by examples. Let us beware of that of De Witt, a great patriot; he braved the designs of the House of Orange; he threw down the defences of the country, which was ruined by France, according to sir W. Temple, on this very account. The noble lord said there was a design to convert this into a military government.

Lord *Folkestone* spoke to order. He denied that he had made such an assertion; he did indeed say, that the effect of the present system was the establishment of a military feeling—he had said nothing as to the designs of those who were parties to it—he merely spoke as to the effect.

Mr. *Ward* continued. The jit of the noble lord's assertion was to that purport. Of this gratuitous assertion he would only say, that he did not believe it; and it was impossible for him to meet it in any other way than by a negative as strong as the assertion itself. After a war of twenty-five years duration, nothing was more natural than that the officers should retain many of their military habits, and should not at once return to the class of citizens. He therefore saw nothing alarming or improper in officers wishing to keep up their old associations, and exercising the same right as tradesmen and professional men did every day, in forming societies where they might meet together, and talk over their former exploits. But gentlemen feared the army in France; and to remedy this, proposed it should be composed of foreigners. What! to prevent Britons from being enslaved, a British army to be disbanded, and foreign mercenaries taken in their place! The wonder was, that the noble lord in his fears did not move to address the Crown to part with its patrimonial dominions; for the Hanoverians were good troops, and not much farther off than the duke of Wellington's army. It had been said that the navies of the world were annihilated, and therefore we needed no army. But an hon. friend of his (sir George Warrender), in moving the vote of seamen, had stated the navies of the world at two hundred ships of the line. He adverted to the necessity of protecting the forts and arsenals of the kingdom, which would be more cheaply protected by the military than by the civil power. Besides, the naval arsenal at Chatham had been much enlarged; it was altogether a little kingdom within itself. The works had cost a million of money. Were they to be abandoned to dilapidation in peace? Was Woolwich, he would ask, where there was a depôt of arms and military stores for 200,000 men, to be protected by a few watchmen? As to the political objections, it was pertinaciously said, that all this establishment was to keep an illegitimate monarch on the throne of France. Waving his right as successor to Louis 16th, was he not formerly elected in 1814, and did a few months usurpation force him to a new election. If so, Charles 2d, was not a legitimate king when restored. For after various forms of government, during thirteen years exile, he returned and took possession, merely by writing to the parliament, that he would do so. It had been said we were at war for a wicked alliance: but the only alliance he knew of, was that for the peace of Europe, and essentially of England against France. Was this wicked? As to economy, to be sure the most economical plan was what had been recommended. "Away with all your colonies and defences, and then you have no need of an army." But he could not deal gravely with such a proposal. Upon the whole, the more the subject had been sifted, the more the wisdom of the measure had been proved, and the objections refuted; and therefore he voted for the proposition.

Mr. *John Smith* began with complimenting lord Folkestone on his eloquent, manly, and truly constitutional speech, which, he hoped, would have that weight to which it was so justly entitled. He wished, however, to say a few words on the financial system of the right hon. chancellor of the exchequer. When the Prince Regent's speech was read from the chair, he had heard words of a most extraordinary nature, and which could have been introduced merely for the sake of deceiving the country. His royal highness was made to say, that the trade and commerce of the united kingdom were in a most flourishing situation; but he appealed to every man within those walls—and there were many of the first importance in the city of London—whether this statement was correct. There never had been a period, with the single exception of the year 1810, in which greater commercial distress had prevailed in every part of the country. An account had been laid on the table of the amount of exports of last year ending in October, contrasting it with that of 1814. It appeared that there was an excess, but the inference which the right hon. gentleman drew from it was most false. He would refer him to the year 1810: a year of the greatest commercial enterprise, but at the same time one of the utmost disaster. The right hon. gentleman ought not to have put such language into the mouth of the Prince Regent. Mr. Smith said, he had stated two years ago, that there was a delusion in the House with respect to our finances; and he was now convinced that unless government kept up the whole of the war taxes, we had no revenue to apply to our peace establishment. If there were not an income tax, not merely at five per cent. but at ten per cent. we had not the means of supporting the establishment now proposed. Suppose a man having 5000*l.* per annum, spending 10,000*l.* were to take the advice of his friends, would they say to him—"Go to Jews and money-lenders, and raise money to meet your difficulties." No, his best friends would say—"reduce your expenditure." He might answer—"Yes, I know that expedient will answer, but then I shall sink in the estimation of those around me." But would they not wisely reply—"No, you will not fall, you will rise in the estimation of the worthy; for economy will ever be found the true road to independence." These observations were not only true as they regarded an individual, but as they related to a nation.

Sir *James Mackintosh* rose and said:—I have attempted more than once to catch your eye at earlier stages of this debate, before the question and the House were so nearly exhausted, in order to protest against a measure which, however intended, I do in my conscience believe to be the first step to the establishment of military despotism on the ruins of the British constitution. I felt great eagerness to have entered that protest at a moment when, with a regret and mortification aggravated by respect, I heard this dreadful novelty defended on principles still more dreadful by a right hon. gentleman who bears the name of Yorke, and in whose veins the blood of Somers flows—[Mr. C. Yorke rose to order. He complained of any member naming another. The Speaker observed that he understood the hon. and learned gentleman to speak historically; not with an intention to name any member.]—Certainly, sir, I did. I meant to name the right hon. gentleman's ancestors, not himself; and I am sorry that he should not consider the mention of their name as a gratification and an honour.

I am relieved from the necessity of stating much of what I had intended to urge by the excellent and admirable speech of the noble lord (Folkestone); a speech as much distinguished by old English spirit and old English principles as any ever delivered within these walls. I shall leave ministers to defend themselves against an ingenious advocate (Mr. Law), who founds their claims on their faults, and is desirous of arming them with a great military force as a safeguard against the danger which they themselves have created by unwise negociations and insecure alliances. He fears our allies more than our late enemies. It seems as if he had intended to illustrate his argument by an example, in his own speech, of the formidable danger of hostile support.

I rejoice that my view of the subject does not now lead me into adverse discussion with the right hon. gentleman (Mr. Peel), whose eloquence has thrown so dreadful a light on the condition of Ireland. I honour the sincerity as much as I admire the talent which he has displayed. But he has said that of Ireland which cannot with truth be said of any great province of the most absolute monarchy in Europe. He has told us, that it is incapable of being ruled, I do not say by free but by civil and legal government. He justifies that part of the establishment on the principle that Ireland can be held only by military force. Even the state in which she is, a state of immorality and atrocity, a state without security for life or property, a state of disturbed and barbarous submission, without respect for law or preference for government, would be made far worse (for it seems worse can exist in Ireland), if any attempt were made to rule that great and ancient member of the empire otherwise than by an army. Admitting the premises, the conclusion certainly follows. I do not now controvert the premises. A time must soon come for a solemn inquiry into the extent, the causes, and the remedy of these tremendous evils. Till that time comes, it is certainly premature to make observations likely to excite discussion. But I cannot forbear from saying, that I consider the remains of the laws of proscription and persecution against the Irish people as the source of all the evil. To that evil principle all the second causes enumerated by the right hon. gentleman may be clearly traced. The popery laws originally deprived Ireland of a Catholic gentry: they deprived the people of natural leaders, whose authority might guide and check them. The persecution which destroyed the original gentry, necessarily reduced the people to the manners and passions of a populace. The Protestant gentry were a small and hostile body, which rather exasperated the hostility of the nation than supplied the place of a native proprietory body. Hence the evil so much complained of—the want of competent magistrates in Ireland. That great evil may indeed be in part caused, or rather aggravated by errors and faults of administration. But the source of the evil is more remote. It is the great principle and peculiar excellence of our system of justices of peace, that these magistrates are generally persons who are the natural objects of the respect of the people, who only add a legal stamp to their personal influence, and may be with some truth said to lend as much authority to the law as they receive from it.

The penal code destroyed a similar body in Ireland, or perhaps rather prevented its formation. The remnant of that bloody code, which still subsists in the form of disabilities, prevents the revival of such a gentry as are qualified to be magistrates. It deters Catholics from being land-owners, and it keeps up civil war between protestant proprietors and that Catholic people who would naturally be subject to their influence as well as secured by their protection. No wonder that there should be absentees from a country where the law teaches the proprietor to dread his tenants as his enemies. It is no wonder that all the habits of intoxication, contraband distillation, and lawless ferocity should be found among a people who feel none of those sentiments towards law which the example and ascendant of their superiors would have silently inspired if that law had not sowed discord between them, and whose only teachers in morality and religion, were only yesterday persecuted, and are still despised where they are not dreaded by their Protestant masters. Till this foul stain be effaced, there can be no beginning of good in Ireland. Our laws must cease to be distinguished by the disgraceful peculiarity of disabling men to serve their country because they serve God according to their conscience. In this exclusion we are now almost alone among great states. The military monarchies have in general carried toleration as far as policy or indifference would stretch it. Indeed, absolute governments do not willingly subject themselves to rules in the selection of servants, and are apt to evade or disdain such restrictions when they exist. Holland, in the new constitution, and I believe in fact, adheres to her ancient toleration, in contempt of the detestable remonstrances of the Flemish bishops. France, in her constitution at least, proclaims the equal admissibility of men of all religions to the trusts and honours of the state. England is not quite solitary in the proscriptive system. England and Spain (I join the names with sorrow and shame) observe the same policy. They are the only great states who form an exception to the liberality of the civilized world. England and Spain are the only remaining seats of intolerance!

It has been said that the revolution gave us standing armies. I cannot pass over in silence so grievous a calumny on the revolution: it is a great historical error. The revolution found standing armies kept up without the sanction of parliament, and in defiance of law;—the revolution found the king claiming and exercising the power of keeping up as large an army as he could find means (abroad or at home) to pay;—the revolution branded the usurpation, and expelled the usurping king;—the revolution bent the neck of military power under the yoke of law, and rendered armies the creatures of parliament, made and destroyed by its breath:—it permitted, indeed, the annual vote of an army with an annual grant of money for its support; and an annual mutiny bill for its government rendering that army every year a new establishment to be proposed on particular grounds, and adopted only on the same principle as if each year were the first of its proposition. The revolution tolerated such annual standing armies, or rather did not attempt to limit the power of parliament to provide for the public safety by such an expedient as often and as much as it became necessary. But it was on such principles, and under this triple control, as well as for this limited term, that the revolution allowed an army. The principle of the revolution on this subject, I conceive to be, that an army without the consent of parliament is destructive of liberty, and that an army with the consent of parliament is dangerous to liberty, though policy may compel us to suffer it, and though these multiplied securities may abate its mischievous tendency. The revolution, then, did not establish an army, but reduced it under the power of the constitution. Cromwell first maintained a large army in this kingdom in time of peace; and that army raised, in support of liberty, the best composed and the most moral that perhaps ever took up arms, as soon as they had subdued their opponents, afforded the strongest demonstration of the unchangeable hostility of all armies, even the best, to freedom, and indeed, to civil authority. They trampled on all law; they compelled a remnant of this House to become the instrument of their generals; and when their services were no longer needed, they expelled even that remnant with outrage, and drove your predecessor, sir, from the chair which you now fill. Charles 2d disbanded that army because they were the enemies of his title; but he soon collected another as his allies against the rights of his people. He faithfully copied the usurper in all the means of maintaining his legitimate authority, with no other difference than that if Cromwell's army destroyed the liberty, it maintained the glory of England, while Charles, the slave of foreign powers, obtained no victories but over his people. He clandestinely augmented this illegal army. James thought himself strong enough to avow it. The glorious revolution destroyed the army and the king.

It is among the most alarming singularities of the estimate now before the House that it exhibits an attempt to undo the revolution, and to release the army from one of the checks then established on it, the most powerful of all, and the only one peculiar to the House of Commons. As to the 34,000 men now stationed in France, forming the second head of this estimate, we are informed in a note, that "it is not proposed to submit to the House of Commons any vote on account of their charges," they being payable by France. So that the House of Commons is to resign for five years all pecuniary control over an army of 34,000 British soldiers. This fearful novelty is proposed as a mere trifle or a matter of course in a marginal note, composed, I presume, by some clerk at the war-office. And what is as singular as any part of this astonishing proposition, a descendant of those great men who made and maintained the revolution ventures in the House to justify this partial counter-revolution, this restoration of an army independent of parliament, this abdication of one of the greatest powers bestowed (I speak practically) on this House by that glorious and auspicious revolution. "It is enough," says the right hon. gentleman (Mr. Yorke), "that parliament sanctions the army in France by an address approving the measure."

It is thus that he values the securities for liberty gained by his ancestors. He is quite content to establish an army for five years, to surrender the pecuniary control,—the exclusive privilege of the House of Commons,—the annual duration which distinguishes the army from that before the revolution, and renders it constantly dependent on this House;—and he is ready to take in return some appearance of a parliamentary sanction to be collected by an ingenious commentator from the general words of a congratulatory address! But on this point I need say no more, it is in the hands of my hon. and learned friend (Mr. C. W. Wynne), who will do all that can be expected from hereditary love and knowledge of the British constitution. I mention it now chiefly as a circumstance which characterises the spirit and intention of this estimate, and the disregard of its supporters as well as framers for all that has hitherto been deemed most sacred among Englishmen.

I agree with those who say that it is a question of amount. The state of the world requires a regular army; all discussions respecting it must turn upon its extent. But it is not merely a question of amount in relation to the supposed necessities of military defence; it is a question of amount also in relation to the safety of the constitution;—threatened by the influence from the disposal of military offices,—threatened still more by the wide diffusion of a military spirit, and the permanent adoption of military habits by a great part of the people,—threatened also (we must never for a moment be so unmindful of the lessons of history as to forget) by the employment of open force, to overthrow a constitution after it has been undermined by influence, and when a nation of soldiers are long enough accustomed to turn their eyes from laws and lawgivers to those who are the more natural objects of the attachment and fealty of armies.

What, then, is the amount of this proposed army? Waving for the present the army in France and in India, we are called upon to vote a hundred thousand men. This is nearly as large a proportion of our population as the most military governments of Europe have attempted to keep under arms in peace. The army of France appears from authentic accounts in the last years of the old monarchy to have amounted to a hundred and sixty thousand men, out of a population of twenty-eight millions. This was one out of a hundred and seventy-five. Making the largest allowance for our late progress in population, it would be impossible to calculate the people of the two British islands at more than seventeen million and a half, of which a hundred thousand men are the hundred and seventy-fifth part. This was never thought too small an army for France with her prodigious line of frontier, with a complicated system of alliance and influence throughout Europe to maintain,—then, perhaps, only the third or fourth military power in the world, but with the feeling that she had been and might soon again become the first. The decay of her military renown, the decline of her political ascendant, as far as either existed, have never been imputed to the numbers of the army. Her policy might be blamed,—her actual means were never thought inadequate. With that army she was always considered as capable of supporting the station which she occupied or even of recovering that from which she had fallen as a military power. The peace establishment of Joseph 2nd, in 1785, was two hundred and thirty thousand men, or something more than the hundred and thirtieth part of the population of his dominions. The peace establishment now intended in Russia is, I have reason to think, less compared to its population than that proposed to us. I do not make this comparison with any view to the comparative facilities of supporting an army in different countries. The greatest number of men can be maintained in idleness where the labour of those who work is most productive. The aid which science and genius have given to English labour through machinery, renders it impossible to compare this country in that important respect to any other. But I press this for quite a different purpose. An army equal to that of France before the revolution, equal to that of Russia at present, nearly equal to that of Austria in the time of her greatest power, has every mark of a resolution that England is to be a military state. Where do military states exist, unless they be Russia, France, and Austria? If we, the first naval power in the world, with not a foot of frontier to defend, are permanently to have under arms a proportion of our population as great, or nearly as great as Russia, France, and Austria, it is evident that considering our situation we aspire to be more military than they are. What would have been said at any former period of our history, if it had been predicted that a minister would have been bold enough to propose a peace establishment for this country, which would render it equal or superior in land forces to the most military governments of Europe? It would surely have required no argument to prove, that the amount of a standing army must be fatal to this constitution when it was such as to indicate military pretension in a free and insular state, superior or even nearly equal to those of despotic continental monarchies.

This is one mode of comparison applicable to the amount of these estimates. Another is with the establishments of this country in former times. But to render this last comparison just, it is necessary to introduce it by one preliminary observation: all former establishments have been chiefly calculated on the danger of attack from France; with some view to colonial or commercial differences with Spain and Holland. At the present moment 30,000 British troops in France are a sufficient security against French attack: that army covers Great Britain, Ireland, and the colonies against all possible hostility from that power. There is no navy in the world but our own: Holland has not the will if she had the power to molest us: Spain holds her slender and precarious hope of recovering her colonies on sufferance from us: a cannon fired by one British ship of war for ever delivers the new world from her power. All the objects for which we used to keep up a standing army are gone. The time is come when, according to the maxims of our former policy, we might disband our troops, or at least consider our force in France as standing in the stead of the army. To compare this estimate fairly with the establishments of former times, we must either deduct from former establishments all that part of them which was designed to secure this country and her colonies against France, Spain, and Holland, or we must again add to our present estimate the 30,000 men maintained in France who now secure us against the hostility of that country, to say nothing of a large addition required to represent the former navies of that great state and her dependant ally—Spain.

Take for an example the establishment proposed by Mr. Fox in 1784, which the right hon. gentleman has chosen to select:—let it be called 46,000 men, for Great Britain, Ireland, and the colonies. But as I now lay aside the army in India, I must also deduct the force then in India from that establishment; it will be reduced to 36,000 men: the present is nearly three times greater. But what deduction would have been made from that establishment, if there had been a British army posted in the strongest fortresses of France? if a sloop of war could not leave Brest without the permission of England. Either making the deduction or the addition which the nature of the case required, it is obvious that the present establishment surpasses that of 1784 in the proportion of more than four to one.

Without this consideration, the comparison, or rather the contrast between the establishment made by Mr. Pitt in 1792, and that now recommended by his pretended followers, would be just neither to his character nor to theirs. It is quite obvious that he very reasonably reduced his establishment in 1792 because the Revolution had for the moment reduced France. Would he have thrown out of his view that France is now conquered, disarmed, garrisoned by an English army?

I will not go through the whole detail of colonial garrisons with which the ministers labour to bewilder the judgment of the House. It proceeds on a principle which inverts the order of reasonable deliberation. With me the great questions are, what can the people pay? what army will be safe for public liberty? when the amount is determined on these principles, we must afterwards adapt them as best we can to the necessary defence of our various possessions. But the first question on the other side is, what is the proper garrison of Cape Coast castle? what ought to be the number of the Royal African corps? what is the desirable garrison for this colony or that fortress? when they have made out a tremendous total out of such details, they consider every consideration of the national resources as vain, and every argument founded on constitutional danger as foolish declamation. Now even if I could believe such statements to be exaggerated, neither by the zeal of colonists nor by the interest of those who profit by supply, nor by the precautions of military men; if waving all consideration of the state of the enemy, of the means of naval defence by which our colonies exist, of the military resources which have often before been found in the people of these colonies themselves; of the strength which the old possessions and the recent acquisitions do give or ought to give to each other;—if waving all these considerations, which are in truth the greater part of the question, I were to give implicit credit to every detailed statement taken by itself, and consequently had no means of attacking the total amount through a calculation of particulars, I should still try it by the standard of the means of the people, and the safety of the constitution. Believing it to be utterly inconsistent with both these objects, I should vote for the motion of my noble friend, and require ministers to come to the House with estimates of which the total amount should be so moderate as to entitle them to particular examination.

The few words which I shall say on particular objects shall therefore be merely as an exemplification of general argument. No colonial case seems to be so confidently relied on as Upper Canada: such is the happy result of our war with the United States. At the end of that war we are to have an increased defence for Canada: it has increased the danger of our American possessions. That admission is implied in the whole argument used on this subject in the debate.

Two reasons are assigned for the necessity of this defence: the first has at least the merit of being original and unexpected. Canada is, it seems, more exposed, because it is more cleared and cultivated: it was formerly guarded by forests and deserts: the farmers who cut down the forests have acted as pioneers to open roads for the invader. The natural answer to this ingenious paradox is, that every field opened to an invader also nourishes men ready to oppose him, and that if cultivation has removed some obstacles to his progress, it has raised up a brave and hardy race of men able to defend the country which they cultivate. But this is at variance with the general argument which runs through the whole case for the present estimate. An increase of people either at home or abroad is not an increase of strength, but an increase of weakness: the garrison of Upper Canada must be augmented because the population is doubled or trebled. What! are we to consider our subjects as our enemies, and an army as the means of containing popular discontent and ensuring passive obedience? I wave all the tremendous consequences to public liberty of thus extending and perpetuating in every part of the empire the wretched principles of administration, which seem for a moment excused by necessity in Ireland. But what is to be the result to our finances and resources if this system be applied to our colonies? their population will increase with their prosperity. Must the growth of their prosperity impoverish and exhaust the mother country? must we become poor in proportion as our colonies become rich? must the progress of their population dry up the sources of ours? There is one recent acquisition, which, if it be wisely governed, has almost indefinite capacities of improvement. It is not easy to set bounds to the possible advances of the Cape of Good Hope: there is no colony which unites more sources of prosperity. Are such colonies, then, by the rapidity of their progress, to be rendered a growing burthen, and at last a sure destruction to Great Britain? Canada is a possession which either must be held by the attachment of the inhabitants, or never can be worth holding. There cannot be a more shallow policy than that of teaching the Canadians to lean on England for defence. It is the necessary tendency of such a system to weaken their reliance on their own efforts, and to extinguish those feelings of national pride, or, if you will, of national hostility, which are kept alive in borderers by fear and contention, and which protects effectually that part of a country which is most exposed to attack. Under such a system, that provincial patriotism will go out which must be the only effectual defense of Canada. Nothing can more plainly shew how widely we have wandered from the policy of our ancestors than these new principles of colonial defence. By the peace of 1763 we added Canada and the Floridas to the British dominions; yet the military establishment of 1764, was less than that of 1749: new dominions were then regarded as accessions to strength, not as sources of weakness.

We are told that this establishment is an experiment for a year, adapted to the uncertain condition of Europe, scarcely recovered from war, and far from general tranquillity. But how does this general reasoning apply to any part of the details of this establishment? Is not every part of the military establishment, except the army in France, proposed on grounds which are either permanent, or likely to be progressive? Is the national character of Ireland to be changed in a session? Is America to become a less formidable neighbour to our continental or insular colonies? Is the progress of cultivation and population in Canada to stop or to go backward? Are the slaves in the West Indies not at length under a better system to multiply? Will the works of Malta and Gibraltar require fewer men? Is the population of Great Britain to be thinned and tamed till it become manageable with fewer soldiers? Every thing is permanent in their arguments—nothing is temporary but their professions.

They have, indeed, betrayed their secret in another part of their argument. They justify their system by arraigning the whole military policy of our forefathers. Mr. Pitt, they tell us, repented the smallness of his establishment. They would have us believe that he ascribed to that limited establishment some part of the French success in the first years of the war. I believe, from the highest authority, that Mr. Pitt never did feel such regret. But if I had no authority for my opinion, I should have adhered to it till compelled by the clearest proof to relinquish it, from respect for the understanding of a great man. Could he have believed that any increase of our peace establishments in 1792, which could have entered into a sound mind, would have any effect on the events which followed? Were not the military powers of the continent, whose establishments were on the utmost stretch, discomfited? When the whole people of France rose in 1793, stimulated by irresistible enthusiasm, what obstacle could have been opposed to their progress, by a few thousand more soldiers? or if the British army of 1792 had doubled, no man in his senses can believe that the event would have been different. The addition of twenty or of thirty thousand men to the force of Europe could have varied very little the probabilities of success. As well might a Neapolitan peasant lament that he had not added a foot or two to his fence to turn aside the broadest and most furious torrent of lava that ever flowed from Vesuvius.

I cannot bring myself, by voting for the new system of large peace establishments, to stigmatize all the wise men who administered the affairs of this kingdom since the revolution, who, according to the new creed, brought on their country bloodshed and defeat, and protracted war, which a larger army in peace would have prevented. Experience seems to me to teach quite a contrary lesson. If you look back on history, you find the smallest peace establishments followed by glorious wars, and the largest by inglorious wars. In 1699 the army was reduced by act of parliament * to 7000 men. The policy of this reduction might be blamed. Its motives might be suspected. It might be considered as ungenerous and harsh towards our great deliverer. But its effects on the succeeding war could not be called very mischievous. The war broke out in three years. In two years more the battle

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* 10 W. & M. 3, c. 1.

of Blenheim justified the peace establishment. About the middle of the next long peace, we had the largest peace establishment before the truce of Amiens. In 1735 we had about 26,000 men. This peace was followed by the war of the Austrian succession, the least fortunate of any before the American war. Without undue reliance on these coincidences, it is enough for me that the whole history of our establishments destroys the pretended connexion between the magnitude of a peace establishment and the success of the subsequent war. In 1755 an army of 18,000 men preceded the glories of lord Chatham's war administration. In 1774 a like army of 18,000 men preceded the calamities of the American war.

The connexion is indeed belied by the history of all free states in civilized periods. It is inconsistent with the nature of liberty, and the belief of it is founded only on those most vulgar prejudices which confound strong government with uncontrolled power. In despotic countries it may be necessary to maintain great armies as seminaries of warlike spirit. The mind, which in such wretched countries has no noble object to employ its powers, almost necessarily sinks into languor and lethargy when it is not roused to the destructive phrenzy of war. The show of war during peace may be necessary to preserve the chief skill of the barbarian, and to keep up the only exalted feeling of the slave. The savage soon throws off habits of order, and the slave is ever prone to relapse into the natural cowardice of his debased condition. But in this mightiest of free communities, where no human faculty is suffered to lie dormant, and where habitual order and co-operation give effect to the intense and incessant exertion of power; the struggles of honourable ambition, the fair contests of political party, the enterprizes of ingenious industry, the pursuits of elegant art, the fearless exercise of reason, upon the most venerable opinions, and upon the acts of the highest authorities, the race of many for wealth, and of a few for power or fame, are abundantly sufficient to cultivate those powers, and to inspire those energies which, at the approach of war, submit to discipline, and quickly assume the forms of military science and genius. A free nation like ours, full of activity and boldness, and yet full of order, has all the elements and habits of an army, prepared by the happy frame of its society. We require no military establishments to nurse our martial spirit. It is our distinction that we have ever proved ourselves in time of need a nation of warriors, and that we never have been a people of soldiers. It is no refinement to say, that the national courage and intellect have acted with the more vigour on the approach of hostility, because we are not teazed and worried into petty activity, because a proud and serious people have not been degraded in their own eyes by acting their awkward part in holiday parade. Where arms are the national occupation, the intervals of peace are times of idleness, during which a part at least of the people must fit themselves for the general business, by exercising the talents and qualities which it requires. But where the pursuits of peace require the highest activity and the nature of the government calls forth the highest spirit, the whole people must always possess the materials and principles of a military character. Freemen are brave because they rely on themselves. Liberty is our national point of honour. The pride of liberty is the spring of our national courage. The independent spirit, the high feeling of personal dignity, and the consequent sensibility to national honour, the true sources of that valour for which this nation has been renowned for ages, have been in a great measure created and preserved by their being accustomed to trust to themselves for defense against invasion from abroad or tyranny at home. If they lean on an army for safety they will soon look to it with awe, and thus gradually lose those sentiments of self-respect and self-dependence, that pride of liberty which are the peculiar and the most solid defences of this country.

Small peace establishments, old English liberty, a people fearlessly discussing all principles and measures of government, a House of Commons jealous of the power of the sword, tenacious of the power of the purse, have given to these islands happiness and greatness: they have given us Churchills and Wellesleys, Blenheims and Waterloos—what higher names or more splendid trophies has the new system in store?

Mr. *Wellesley Pole* said, that he would not trouble the House at any great length, but he wished to be allowed to make a few observations. His wish was to recall the attention of gentlemen to the real question before them, which was simply, whether the army estimates should be referred to the committee of supply. The whole force of the argument on the other side of the House, and all the splendid abilities which had been displayed on the present occasion, had been directed to the establishment of this position,—that it was not desirable to refer the army estimates to the committee of supply, because they carried on the face of them an indication, that his majesty's ministers recommended a system, which, if it did not produce an immediate military despotism, had a tendency to a state of things of which a military despotism must be the final result. The hon. gentleman opposite contended, that because the proposed measures appeared to them to be in their nature unconstitutional, they ought not to be submitted for a moment to the committee for investigation. This was their main objection to the motion. The principal argument which they had urged was, that every one who understood the constitution of England, knew that it was contrary to law to keep up a standing army in time of peace, without the consent of parliament. That was true. But all who knew what had taken place in parliament for the last hundred years, must admit that to a certain degree, a standing army in peace had always been considered necessary for the preservation, not only of the country but of the constitution. There was not an hon. member who had spoken in the course of the debate, who had gone so far as to deny that some standing army was necessary for the security of Great Britain and our colonies. If it was admitted on all hands that some standing army was necessary, the constitutional question was at an end, and the only question that remained was a question of degree. If it was admitted, that there must be some degree of force, then there must be some estimates; and he begged leave to say that, according to all parliamentary usage, it was impossible to determine what number of forces ought to be maintained unless the estimates were submitted to the committee of supply, and there deliberately investigated, point by point. His noble friend had laid before parliament an estimate of the force which in his opinion, ought to be maintained. In so doing, he had done only his duty. Would it have been manly or honest, had his noble friend submitted to the House an estimate which in his own conscience he thought insufficient? The only proper course for his noble friend to adopt was that which he had adopted, namely, to propose to parliament the force that he thought was required by the occasion, and of course to leave to parliament the decision upon the items of which the estimate was composed. The gentlemen opposite contended, that on the face of the estimates there appeared an extent of force, the establishment of which would be dangerous to the constitution. His majesty's government contended, that if the discussion of those estimates were allowed to take place, they were ready to show that every part of them was necessary. This was the difference. It could be decided only by facts; and how could facts be ascertained unless the House went into the committee. He should not have been surprised at the violent opposition to the motion had ministers called on the House at the present moment to vote the estimates. But that was not the question. No sum was proposed; but, his noble friend having laid on the table of the House the estimates which he had thought necessary for the public service, the House was asked to refer them to the committee of supply, in order that that committee might thoroughly investigate them, and determine whether they would agree to any, or all, or which. What common sense was there therefore in attempting to put a stop *in limine* to this proceeding? Was there any impartial man who had listened to the three nights of debate on this subject, and who did not perceive that the hon. gentleman opposite, in arguing against the examination of the estimates by the committee had shown decided reasons for such an examination? Hardly two of those hon. gentlemen had agreed as to the amount of force which was desirable. There was a wide field of difference among them. For instance, one hon. baronet whom he saw in his place, and who was as conversant with the affairs of the sister kingdom as any man could be (Sir John Newport), concurred with his right hon. friend near him (Mr. Peel) that 25,000 troops would not be too many for Ireland. Another hon. gentleman, however, expressed great doubts as to the propriety of voting a force for Ireland until it should be determined by a committee above stairs whether any soldiers were necessary there at all.—[An expression of dissent from the opposition bench]—No! He was glad to hear that he had misunderstood the hon. gentleman, and that all parties thought 25,000 men were necessary for the security of Ireland. Another hon.

gentleman who had spoken very ably last night, had admitted that the estimate for Canada and Nova Scotia was not at all too large for the necessity of the case—an estimate, let it be observed, by the way, in which there had been a great increase since the last peace. Other hon. gentlemen declared, that it was better to give those colonies up than maintain them at the proposed expense. Here was a considerable difference of opinion. He put it to the candour of the hon. gentlemen, what could be a fairer proceeding on the part of his majesty's government than to refer the estimates to the committee of supply, where they would be sifted and investigated; where his noble friend would have the opportunity of explaining the nature of every article of which they were composed, and where gentlemen of both sides of the House would have the means of canvassing the subject freely, and without limitation? The House were not called upon to vote the estimates blindly; but they were challenged—they were implored—to examine them with the utmost scrupulosity. With respect to all that had been said on the subject of economy, he, for one, was satisfied in his own mind, that a pledge more sincere was never given than the pledge on that subject, and that in every department of the state, it would be redeemed to the utmost extent compatible with the safety of the country. His majesty's government contended, that in the estimates before the House the utmost attention to economy had been shown. If the hon. gentlemen opposite doubted this, let them go into the committee, and if they could prove that there was a single item which might be reduced without endangering the public security, to that reduction he would most cheerfully consent. He was satisfied, however, that the closest examination would convince those who thought any force necessary, that the proposed force was not too large in any of its parts. He might be mistaken in this conviction; but, he repeated, the only way to ascertain the fact would be to go into the committee of supply, in which the hon. gentlemen opposite might question and cross-question ministers; and what was more, might obtain answers to their questions; an occurrence which he was sure would highly gratify them. A noble lord, in an able speech (to many of the constitutional points of which he readily assented, although he could not admit the soundness of all the doctrine inferred from them), had argued that before his majesty's government called on the House to vote these estimates, they ought to prove the necessity of them. Very true. But how could that be done so well as in the committee of supply? It was impossible that the matter could be so thoroughly examined in a debate, in which no man had a right to speak more than once, as in the committee of supply, where every man had a right, and where indeed it was the duty of every man to speak as often as doubts occurred to his mind which required solution. The noble lord had chosen to assert, that his majesty's ministers had been anxious to come forward and explain the necessity of the estimates which regarded Ireland, because they knew that their explanations would be satisfactory to the House; but that they had cautiously abstained from explaining the necessity of the estimates which regarded England, because they knew that their explanations would not be satisfactory to the House; and then, recollecting himself a little, the noble lord proceeded to remark, that more was wanted for England on account of the depots (on the foreign name of which a joke had been attempted), the batteries, the works, and the dock-yards. "Get rid of all these," said the noble lord, "and you will not want so much money." This was a very intelligible principle; but would the House approve of its application? Let that among the other questions be referred to the committee of supply. Let his majesty's ministers have an opportunity of stating the value and use of these depots, batteries, works, and dock-yards, and then let the committee determine whether or not they ought to be maintained.—He would not trespass longer on the attention of the House. He had thought it his duty to recall them to the consideration of the actual question. It was a regular and parliamentary proposition to refer the estimates to the committee of supply. By so doing, the House would not be precluded from cutting down any article that might appear to admit of retrenchment; on the contrary, ample opportunity would be afforded of investigating every thing with the utmost minuteness. The whole debate had, in his opinion, branched out into matter—he would not say irregular, but irrelevant; but he was convinced, that let the honourable gentlemen opposite take what course they might, they would never succeed in persuading the House to adopt their very extraordinary proposition—not to inquire into this important subject.

Sir *Francis Burdett*, late as the hour was, felt the question to be of such vital importance, that he should not do his duty, if he were not to take his stand by the noble lord under the gallery, in every point of whose constitutional speech he completely concurred. Indeed as the motion had been opposed with the most splendid ability, so he would, on the other hand, say, that since he had had a seat in that House, he had never seen a proposition by government supported with less talent. The right hon. gentleman who had just sat down, had triumphantly repeated an argument which had already been answered. He had asserted that it was a great absurdity to oppose the proposition, since no man contended that some standing army was not necessary. But this triumphant argument, the hon. baronet contended was erroneous; since nothing was more common than the mode now adopted. If a man wished to purchase an estate, and on asking the price, a most enormous one was mentioned to him, he would refuse to listen to the demand, and would indignantly say, "make me another proposition altogether." That was what the House ought now to say to those ministers who had proposed the establishment of a standing army, at which no former ministers would have dared to hint. They ought to say, "we will not enter into the detail. We care not what case you are prepared to make out. You have made a proposition inconsistent with the liberties of the country, and we will not enter into the consideration of it." It had formerly been said by an hon. member of that House—"Perish our commerce, but let our constitution live!" With much more reason might it now be exclaimed—"Perish our military establishments, let our constitution live!" [Hear, hear!] At the period of the Revolution, even the few thousand troops then maintained for the necessary garrisons of the kingdom, had been looked at by parliament with a jealous eye, and it had been predicted that it would be the root of that tree which had now arrived at its full growth, and overshadowed the constitution of the land. With respect to the comparison that had been made by an hon. gentleman, between the restoration of Charles 2nd, and that of Louis 18th, the hon. baronet contended that they were dissimilar cases. Charles had been invited to return. He had not, like Louis, been forced upon the people, and maintained on his throne by foreign bayonets. The invitation of Charles was thought by the statesmen of that day the best way to secure the liberties of the people, but Charles, like Louis, and like all other restored sovereigns, soon forgot the pledges which he had given. The case of Cromwell had also been much misrepresented by an hon. gentleman. Cromwell, finding that the great landed interest of the country was with the Stuarts, and that he could not govern by parliament, and not wishing to go either to the gallows or to St. Helena, determined to govern by the sword alone, and the whole army with which he governed England, Scotland, and Ireland, consisted of only 25,000 men. And yet they were now told that no jealousy ought to be excited by the establishment of an army of thrice that number. Few tyrannies indeed that had been maintained in the world required any thing like such a force. The pretorian bands at Rome amounted only to 12,000 men: the janissaries at Constantinople did not exceed 12,000: the despotism of Buonaparté, at a time when his domination extended over almost the whole of Europe, rested mainly and almost solely on the 40,000 troops whom he called the imperial guard. When, therefore, it was proposed to maintain nearly 100,000 men in arms in this country, was jealousy of such a proposition a chimera—a folly? It was not indeed merely of 100,000, but of 150,000 men, that we ought to be apprehensive. He alluded to that greatest of dangers, the patronage arising from the existence of such a force; for he perfectly agreed in opinion with Bolingbroke, that there was more to be apprehended for the constitution from a hundred mercenaries within those walls, than from 100,000 armed men without them. When gentlemen denied the existence of this patronage and its consequent effect, if it was out of the House every one would laugh in their faces; if in the House, the rules of parliament, which required that it should be considered pure and unbiassed, would demand silence, although no one could really maintain the truth of the denial without being thought either an egregious fool or a contemptible hypocrite. Even with reference to the very head of our military establishment, it could never be forgotten that the commander in chief (whatever his subsequent conduct might have been) had been obliged to resign in consequence of an abuse of the patronage which he possessed. And what pretence was there for this accumulation of force? An hon. gentleman on the floor had asserted that ministers had so mismanaged the recent treaties, that another bugbear—the power of Russia—had taken place of the bugbear of which we had got rid—Buonaparté. For his own part, whatever might be his opinion of the treaties, he did not apprehend any danger of that description. He did not think Europe would so soon be again plunged in war. There existed neither power, nor interests, nor objects to produce that effect. On this account he wished that we should revert to our old insular policy. Instead of that "imposing situation," as it was called, which we were impoverishing ourselves to maintain, he wished the country to be restored to that really proud station which it occupied when it was the country of a free people. To say that we could not venture in peace to reduce our establishments, was as absurd as it would have been in a great poet to declare that his hero dare never take off his armour when he came from the field, lest he should expose his weakness. Where was the enemy whom we dreaded? Was it France? Never was she so crippled. The cruel imposition on her of a government which she detested had palsied all her energies. Was it the French army? Unless those who fell at Waterloo could return from the infernal regions, and Buonaparté could procure wings to enable him to fly to their head, little was to be apprehended on that score. The real danger of this country was in her financial situation. The national debt was the enemy, to the reduction of which we ought to apply our utmost efforts [Hear, hear!] This could only be done by retrenchment in every part of our establishments. "What!" said an hon. gentleman, "would you have the British grenadiers become scavengers and dustmen again!" The hon. baronet knew of no useful employment in society, however humble, which, if accompanied with industry and integrity, was fit to fall under the contempt of the greatest man in it. And in his opinion, work infinitely more dirty than that of scavengers and dustmen was done with hands as apparently clean and delicate as those of the noble lord who generally graced the opposite bench [Hear, hear!] And let it be considered how small a part of the sum proposed to be voted would go to these men. It would go to a different establishment, and to different people. It was to prevent it from being thus employed, and not to prevent the soldier from receiving the reward which he had bravely earned, that he objected to the proposition before the House. When ministers talked of the inexpediency of overlooking one set of men, they should recollect another set, which they had entirely overlooked. He meant the junior officers of the navy, the midshipmen, &c. men of good education, and who after ten or a dozen years hard service were turned adrift without any provision, to become scavengers and dustmen he supposed. With all his anxiety for economy, he should have no objection to make some provision for such persons. What he meant by economy, was economy well understood. Not merely a saving of expense; but a saving of that expense which would not be detrimental to the best interests of the country. The picture painted by the right hon. gentleman opposite of the state of Ireland, was such as to involve a strong censure on his majesty's ministers for having abstained from any notice of that country in the speech from the throne. It deserved to be asked, why that country which at the end of the American war, when it had no army, and when it apprehended invasion, rose as one man in its own defence, was now, after a lapse of so many years, in such a state that it required 25,000 troops to keep it quiet? He believed there was not another nation in the civilized world in so deplorable a situation as Ireland had been described to be by the right hon. gentleman. Yet all this had been passed in silence; and the House would never have heard of it had it not been brought forward as an inducement to consent to the increase of our military establishments. The hon. baronet here ridiculed the right hon. gentleman's assertion, that the greater part of this evil in Ireland was attributable to illicit distillation; and contended that if it were so, the best thing that could be done was to take off the duties. But this was a subject well deserving of a separate, and not of an incidental, consideration by parliament. The establishment to be maintained in England was enormous. As to increase of population, he thought that argument applied the other way, though it had been said that the army could not prudently be kept, even on the proposed footing, without having its outposts in

France, where, by-the-bye, they were to be employed in keeping down the people of France. A greater population should require less military force. It was rather on the militia, on the volunteers, and on the affection of the people, that government should depend to maintain the constitution, and to defend the country against the attacks of foreign enemies. Then the great number of our colonies was urged as a reason for a great force. If there was no apprehension of insurrection in the colonies, he could see no reason for this. On what other ground could danger be apprehended? Never, since England was England had there been so little pretence, at home or abroad, for an increased military peace establishment. A few ships of war sailing about our colonies would, in his opinion, be an ample security. If it were otherwise, it would be better to abandon them than incur an expense by their possession ruinous to ourselves. If once parliament consented to the proposed establishment, it would be rendered perpetual. In old times, when the martial spirit of the country was as high as at present, though unmixed with any fopperies, there was no such thing as a standing army. When the Spanish ambassador expressed his astonishment to queen Elizabeth at seeing her going among her subjects without any guards, she pointed at the people, and said to him—"These are the guards of the crown of England." [Hear, hear!] He trusted the House would reject the motion. He trusted they would say to his majesty's government—"This proposition which you have made to us is so monstrous, that we will not listen to it. Model something fit for the parliament of England to consider, and then we will enter into the details of the subject, and determine what modifications ought to take place; but we at once reject the plan which you offer, as the adoption of it would put the seal to the destruction of the liberties of the country." [Hear, hear!]

Mr. *Tierney* observed, that whatever eloquence could enforce, knowledge of history could illustrate, or English feeling could impress, had already been so powerfully stated to the House, that he should confine himself to the humbler task of endeavouring to bring the practical question home to the understandings of that great and important part of parliament—the landed interest of England. He had suggested a call of the House, because, if ever there was a question that concerned the great landed interest, it was the present. Now they had a full attendance, and to that great body he particularly desired to address a few words, without going deeply into the subject. He hoped to show a *primâ facie* case against this large establishment, which it behoved ministers to answer. He could not do so, if he did not briefly notice the state of our finances first. He could show the absolute necessity of real economy. We had for nearly twenty-five years contended for the overthrow of the military domination of France, and had at last met with success that exceeded the hopes of the most sanguine. We had destroyed that power with which it was said no other nation was safe. Might he, or might he not, then, congratulate the House on this great event? If there was now no danger, the army was too large; if there was impending danger, the army appeared too small. He must assume that Europe was now safe, and England in security. He would say, that the revenue had been declining for the last six months, and our surplus was so small, that our finances could scarcely be in a worse way. The amount of the revenue, as stated by the chancellor of the exchequer for the year ending the 5th January 1815, was 65 millions, while the amount of the year ending 5th of January 1816, was 66 millions. But he would take the revenue up to the year ending in the July quarter last year, which was 66 millions, whereas the revenue of the preceding year up to the same date was 67,403,000*l.* Now, here was a palpable falling of one million in the revenue. He did not believe that the present taxes could remain at the same rate, for the war expenditure contributed in a degree to revenue; but now, when even that source had failed, and when every mode of supply was cut off by the accumulated distresses of the country, he was persuaded that it would be impossible to levy taxes to the same amount. Admitting, however, that 10 millions could be raised by the means proposed, all that remained was the property tax, and that would not be equal to the return of last year; for it must be remembered, that last year's return was in fact the return of the year preceding; and though the chancellor of the exchequer had stated, that the amount for the 5th of January 1816 exceeded, by more than a million, the amount returned for the 5th of January 1815, yet he could prove incontrovertibly, that the amount of the year ending in July 1815 was less, by a million, than the amount of the year ending in July 1814. He would venture to assert, that the utmost the property tax would produce next year, would not exceed eleven millions. The right hon. gentleman had taken the half of that tax, which, added to the former ten millions, would make up fifteen and a half millions, while the right hon. gentleman had calculated on twenty. The right hon. gentleman knew, as well as himself, that Ireland, instead of contributing three millions, must throw herself upon us for support; and thus so much more would be added to our exigencies. We had been told that this demand for 20 millions of money, would not be a permanent demand; but it was admitted, after deducting the 30,000 men stationed in France, that there was to be a permanent establishment of 111,000 men. Now, in order to compare this establishment with that of 1791, we must deduct for the new colonies 23,000 men, which would leave 85,000; 25,000 for Ireland, which would leave 60,000; in short, the result of the papers on the table showed that there would be an exceeding of 27,000 in this peace establishment over that of 1791. Now, was not this a *primâ facie* case that would establish a sufficient ground for alarm? And ought we not to pray his royal highness the Prince Regent to order that other and far different estimates be produced? The secretary at war, in the luminous statement which he had made of the disposition of the forces, had divided the subject into four branches —England, Ireland, the old, and the new colonies. After what had fallen from members, whose authority he could not doubt, he might admit that so much was necessary for Ireland; but not for a year —that would be the way to remove Ireland from the attention and remembrance of the House. He thought such a force should be granted only for the exigency of the present moment. As for England, he was utterly unable to conceive the grounds on which the force should be so much increased. If the population was greater, had it proportionably degenerated in spirit? On the head of the new colonies, he was still less able to comprehend why we were called upon for an army to support islands, at the very moment when we had reduced our navy, which was the more obvious defence for such possessions. But this convinced him the more, that our navy was reduced for the sole purpose of applying more money to the army. He deprecated this neglect of our peculiar constitutional force, and would ask whether the navy, by any conduct during the late war, had justified the apparent imputation, that we deemed them unable or unwilling to defend us? If there was danger, a fair proportion had not been maintained between army and navy. If there was no danger, why did we keep up an army? With regard to the old colonies, the secretary at war had probably relied on the opinions of military men; and if we went into a committee, the utmost we could do, would be to sift the secretary at war. But the House in such matters ought itself to take the depositions of military men; and had they done so at a former period, Walcheren had never been attacked. The opinion of military men ought to be asked by the House itself. Among other statements, the noble lord had mentioned one thousand men stationed at the Cape, for the purpose of resisting what he termed the natives; for it would have sounded too ridiculous to have said in plain words the Hottentots. The noble lord had very probably made due inquiry at the Horse-guards; but inquiry at the Horse-guards was very different from a formal examination before that House. In the former case, it was almost impossible that they whose opinions were requested, should not gravitate towards the centre of influence. But we had been told, we were to provide against future contingencies; we were to be prepared. He must observe that the present were no preparations. This was not a rehearsal, but a performance; we were cursed with all the pride, pomp, and circumstance of war. This was no provision against future evils, but present exhaustion and ruin; and if ever war did come, there must be a stop to the payment of the interest of national debt—we must defraud our creditors, we must sink in bankruptcy. He did not wish to prevent a proper establishment, but the question was, what should be deemed such? The secretary at war had said that only 600,000*l.* would be saved, if 25,000 men were to be struck off the list; for his part, he could not comprehend this statement; but if we could save only six pounds, we were bound in duty to exert every effort for doing so. Ministers themselves had stated that every possible saving should be made. Ministers loudly proclaimed the necessity of economy, and their desire to adopt plans for carrying it into execution; but all the savings we had yet heard of were to be created by an increase of salaries. Could any set of men, then, be viewed with more distrust and jealousy than such an administration? Could the country gentlemen of England, who had been assembled here by the call of the House, place any reliance upon them, or concur in their measures, when the most prominent points of their policy had been a bribery of the tax-gatherer, and a pampering of the army? He wished the noble lord was in his place, that he might remind him of what passed on a former occasion, when he proposed the measure that had procured so full an attendance in the House. The noble lord then tauntingly told him, that the country would not be interested in what was said or done on the side of the House on which he generally sat. This prophecy had not been fulfilled. The country had been roused, and was bestirring itself from one end of it to the other; and he was convinced that many of the country members had come up charged with the sentiments entertained by the districts to which they belonged. The inconsistency of ministers had been apparent. They could not expect confidence in their statements while they themselves contradicted them; nor could they rationally anticipate that the gentlemen who composed that House would vote for such extravagant estimates while no real danger could be pointed out, and while it was considered that ministers themselves wished, before they thought of their establishments, to lull us to the most profound repose. There was nothing now but black spots in the horizon (for ministers were still determined to look into the clouds), and upon the simple declaration of the existence of such spots we were required to encumber ourselves with taxes, and to incur the danger of losing our liberties. He concluded by imploring the members of the House, who had been sent up by their constituents to attend to their interests and the interests of the empire, to weigh well what they were required to do before they lent themselves to the support of ministers; to consider what account they could render to their own minds, their friends, to the people of Great Britain, and to the world, if they adopted the course proposed, and contributed so powerfully to overthrow the liberties and the constitution of their country.

The *Chancellor of the Exchequer* observed, that the speech of the right hon. gentleman would unquestionably have convinced him, if he had not been convinced before, that nothing could more effectually tend to weaken the cause of the gentlemen opposite, than the unusual length to which this discussion had been drawn. Finding that by fair argument they could not successfully resist the motion—feeling that they could not resist the evidence laid before them, they had endeavoured to divert the House from the regular course of proceeding, and had attempted to make their stand on the ingenious devices which had occurred to them for that purpose, and on a few striking facts which seemed to bear out several assertions till explanation was afforded. To some of the observations which had been made by those who had taken part in this debate, he thought it necessary to offer a few words in reply, but in doing this, he could not expect to throw any new light on a subject which had already undergone such ample consideration. The argument of the right hon. gentleman had been founded entirely on the fallacy, that by the vote of this night the House would pronounce an opinion on the estimates which were before them. He wished it to be distinctly understood, that they would do no such thing. It was not on the propriety of the estimates themselves, that they were now called upon to decide, but simply on the propriety of sending them to the committee. The right hon. gentleman in the first part of his speech, had taken up the constitutional doctrines of the hon. baronet who had preceded him. These, if acted upon, to the extent proposed, would leave the House but little to do; for according to the hon. baronet, it was unconstitutional to keep up any standing army at all. From this position, however, the right hon. gentleman had afterwards seemed to depart, and his argument had then rested on two points; first, the assumed security of the country; secondly, the desperate state of our finances. In the first part of his argument, he most cordially agreed, so far as it went to declare that the country had gained as perfect a state of security, as depended on the triumph of arms, and the success of negociation; but while he concurred in this, he could not agree with the right hon. gentleman that we had gained that state of security which would authorize us to repose on the laurels we had so hardly earned, and to neglect those saving precautions, without which the most powerful and the most inoffensive nations must, from the ordinary course of human transactions, be open to danger. He was happy to say this country had reached a pitch of glory and elevation among the nations of the earth, which had never been surpassed; but if we were now hastily to disarm, and thus leave ourselves dependent on the mercy and forbearance of other powers, the policy of the government might justly be arraigned. This was what no country could do with safety, under any circumstances. If we searched into history, we should find that the most inoffensive nations had not always been most respected. What, for instance, had been the fate of Switzerland? Separated for so many centuries, as well by her natural situation as by the policy she had adopted, from contention with the nations by which she was surrounded, her independence had at last fallen before the ambition of her neighbours. Agreeing, therefore, with the right hon. gentleman, that we had gained security as far as successful war and negociation were concerned, he still differed from him in his conclusion, that for this reason we might dispense with those precautionary measures which ministers had taken upon themselves to declare were necessary. The right hon. gentleman, in examining the state of our finances, had taken a narrow view of the question. He had stated the produce of one branch of the revenue up to Jan. 5, 1816, to have fallen short by about a million of the produce of the preceding year. This was perfectly true, but the total produce of the revenue had not been thus deficient. Here the right hon. gentleman proceeded to repeat the explanatory statement formerly made, with respect to the produce of the customs of the last year. He also combated the assertions which had been made by the right hon. gentleman, with respect to the general state of our finances, which upon the whole he contended wore a satisfactory aspect. On the present occasion it was not necessary for him to enter at large into the state of the revenue; for whether it could be proved to be a million more, or a million less, would not affect the question now under the consideration of the House, and determine whether or not an unnecessary million had been called for. This question could only be properly investigated in the committee of supply. If the House should be disposed to act upon the constitutional doctrines, as they were called, of the hon. baronet, and the noble lord (Folkestone), they would bring into little compass the great work of retrenchment; for, according to them, any thing like a standing army was inconsistent with the principles of the constitution. In the event of the House being disposed to take this course of proceeding, they would make short work of the business by disbanding at once the whole army. This done, a considerable saving might certainly be effected. But he wished the amount of the estimates actually before the House to be considered. They went to create a charge of something less than 9,000,000*l*., and he desired that they might see not only how much our expenditure would be reduced by recurring to the establishment of 1791, but he wished them to know what would be the extent of the saving which might be looked for if the army was disbanded altogether. In the case of its being reduced to the standard of the army of 1791, the expense of maintaining a force of 47,000 men, would be at the present rate of the pay, and at the present prices of the provisions and other articles necessary for an army, about 6,100,000*l*. The difference, therefore, between the expense of the force intended to be proposed to the committee of supply, and of that of 1791, would be 2,300,000*l*. This would be the amount of the saving produced. But he would go a step farther; he would suppose the army of 1791 to be also put down. This would give a further retrenchment of 2,000,000*l*.; and thus a saving in the whole of 4,300,000*l*. would be accomplished. There would still remain, if we continued to act on the principle which he thought not less wise than just, that of providing for the veteran in consideration of his past services, and if we maintained our establishments for giving the officers their half-pay, the sum of 4,600,000*l*. to be borne by the nation, even after the suggestion of the hon. baronet had been adopted, and the country had been laid open to the inroads of an enemy. The right hon. gentleman next proceeded to defend the policy of the arrangements made for the defence of our colonies. They had now been told that these were hardly worth preserving at the expense which would grow out of the establishments to be kept up for that purpose. This doctrine was new. It had long been the policy of the English government to acquire and to hold these possessions, and if we should now abandon them as not worth the sum they would be likely to cost us, the country could not abandon that portion of debt which had been incurred by the efforts made to attain them. At so late an hour he was unwilling to detain the House a moment longer than was absolutely necessary, on a question which had been so fully discussed. He, however, thought it right to bring forward the authority of a gallant officer on the question of the force which it would be desirable to keep up for the defence of our colonies. The authority to which he referred was that of an officer now no more, and it would not be the less attended to by the House, because the individual who drew up the paper which he should quote, could not now be interested in the impression which it might create. The opinion of which he spoke, was that of sir Ralph Abercrombie. In the year 1797 the government of that day applied to him for an estimate of the forces which would then be necessary to defend the West India islands, which it was expected would be left in our possession in the event of the negociations which were at that time in progress terminating in peace. The opinion of sir Ralph was, that to secure the islands of Trinidad, St. Lucie, Dominica, &c. a force of 7500 men (including a detachment of artillery) would not be more than sufficient. On referring to the present estimates it would be found, that a force of 5000 men only had been set apart for that service, being but two-thirds of the amount of the army which had been thought necessary by sir Ralph Abercrombie.—He would not go over the statement made on a former evening by his noble friend (lord Palmerston), any further than was unavoidable, while expressing his conviction that the present establishment was not on an extravagant scale. Ministers were perfectly aware that were every colony made to contain a sufficient number of men for all the purposes of defence, this would occasion a charge which neither the colonies nor this country could easily bear. They had therefore taken up the plan of fixing upon certain important points of defence in which garrisons were to be stationed, while, for the rest, no greater force was left than was considered necessary for their internal military arrangements. Acting on this plan in the Mediterranean, Gibraltar, Malta, and Corfu, had been pitched upon for the purpose he had mentioned, and at the first of these stations a smaller force would be found than had been given to it in 1791. He proceeded to unfold the arrangements of a similar nature which had been made in America, at Barbadoes, and the islands of Ceylon and the Mauritius. The House, from these explanations, would feel that no reduction could take place on the charges which appeared on the estimates in the present year at least. In the next year this might be practicable, but before it certainly could not. The right hon. gentleman who spoke last had followed the hon. baronet in stating, that the midshipmen of the navy, when discharged, had had no provision made for them. He was not astonished that the hon. baronet, who had lately so seldom attended the debates in that House, should make such an assertion, but he was surprised that the right hon. gentleman should have also fallen into this error, which had been so often exploded. Now, the fact was, the whole body of midshipmen who had served their time in the navy, had either been promoted to lieutenancies, or had been retained as supernumeraries on board their respective ships. Those who had not served their time, had certainly not been thus provided for, but these for the most part, it would occur to the House, were not so far advanced in life, but they might yet turn their attention to other professions. They might engage in the mercantile service of the country, or they might qualify themselves for civil situations. The right hon. gentleman had compared the reduction which had taken place in the navy, with that which had been carried into effect in the army, and had commented on the great disproportion between them. The chancellor of the exchequer proceeded to show, from statements of the force kept up at the two periods, that the reduction of the navy, as compared with that of the army, was not materially greater in proportion than that which had taken place in 1791. He was sorry to have detained the House so long on a question which had been so fully discussed before, and now in conclusion begged again to remind them that they were not called upon to decide on the propriety of the estimates themselves; they were called upon merely to give an opinion on the propriety of referring them to a committee of supply.

Lord *Cochrane* shortly addressed the

House on the subject of Malta, and contended, that if justice was done by granting the constitution and laws for which the Maltese had stipulated, on their voluntary surrender of that island to the British crown, there would be no necessity for a British military force there. The population of that island was fully adequate to its defence now as well as in former times. The French had not conquered that island: nor could the fortifications be taken or reduced, unless by famine. But instead of granting that government and those just laws which we had stipulated to give, it seemed to be the determination of ministers to rule there and every where else by military force. The whole House knew, and he (lord Cochrane) was present at the blockade, that the fortresses of Malta were reconquered from France by the Maltese, and not by this country; and it was obvious, that those who could regain their own independence were equal, under the protection of the British navy, to maintain it. He would observe, too, that it was the duty of government to conciliate the Maltese by appointing them to the responsible or lucrative situations in their own island, instead of sending out shoals of ministerial creatures to feed upon and plunder them. He would mention one instance, that of the secretary of the noble lord opposite (lord Castlereagh), who lived at home and derived the enormous revenue of 7000*l*. sterling a year as vendue master. Harbour masters, quarantine masters, and other places were similarly filled and executed. And, indeed, such was every where the system. The Ionian islands, too, must have large garrisons, though the people had nothing to tempt them to revolt or withdraw from our protection; unless our government was worse than that of the Turks, from which they had been rescued by the French, or that of the French from which we professed to have delivered them. Our whole conduct, however, had been such in the Mediterranean, that perhaps ministers did not, on the whole, form an erroneous estimate on this head. He would ask, what was the necessity of such an enormous force in the West Indies? If it was intended for protection against an invading force, whence was that force to come? What was the use of our ministers abroad and our consuls in foreign ports, if we were every where to be on a war establishment during peace? Could it be believed, that the West India islands could be subjugated by fleets and armies without our having any intimation of hostile preparations? If these troops were intended for internal compulsatory government, the abuses which rendered such precautions necessary should be redressed. The cessation of the African slave trade had been held up as tending to diminish the amount of human suffering; but he contended that by that measure, unattended by the emancipation of the men of colour and blacks bred and educated in our islands, the sum of misery was increased; in as much as the enlightened mind suffers more than the savage in a state of bondage. If the intention was defence and not oppression, the purpose would be fully answered by one effective force stationed on a healthy part of a windward island, where it would be more efficient than if scattered in unwholesome stations. The army in France appeared to be more injurious to the cause of that government than useful, except for the purpose of oppressing the people, and establishing despotism against their will. He verily believed that the latter was the object, united to the scheme the ministers seemed to entertain of a military government at home. It was obvious, that as a naval and not a military power, this country had risen to wealth and greatness; if we abandoned that line of policy, we must inevitably sink to the level of a second or third rate state. A respectable squadron, well manned, would have more influence on the conduct of continental affairs, than all the troops this country could for any length of time supply or maintain. He would venture to predict, that if we persevered in supporting the despotism we had established on the continent, our resources would fail before the object was accomplished. Let grievances be redressed at home and unprotected abroad, and there would cease to be any necessity for an enormous standing army in France, in Ireland, or any other quarter.

Mr. *Stuart Wortley* thought a very strong case had been put by the right hon. gentleman (Mr. Tierney) on the government, which was entitled to attention, though he certainly was desirous that the House should go into the committee. He felt himself obliged, and he believed the country was also obliged to his majesty's ministers for those exertions which they had made; but he must tell them that the time for economy was come. He regretted that the excess of the civil list expenditure should fall upon the people, and contended that there ought in these times to be no increase of salaries. There was not, however, any government in which he had more confidence than he had in the present, and he was sure they had nothing to do for the satisfaction of the country but to pursue a system of economy.

Mr. *Bennet* wished to ask the chancellor of the exchequer, whether it was true, that within a short period the salaries of six collectors of the taxes in Scotland and thirty-six in England had been increased?

The *Chancellor of the Exchequer* intimated his intention of answering that question to-morrow.

Mr. *Protheroe*, although he felt the exorbitance of the estimates, yet thought they ought to be considered in the committee.

The question was now loudly called for, and the House divided:—

For the motion 241
Against it 121

Majority 120

List of the Minority.

Abercromby, hon. J.
Althorp, viscount
Anson, sir G.
Atherley, A.
Astell, William
Baring, Alex.
Baring, sir T.
Bennet, hon. H.
Birch, Joseph
Brand, hon. T.
Babington, Tho.
Browne, Dom.
Broadhurst, John
Burrell, hon. P. D.
Burrell, sir Charles
Burrell, Walter
Byng, George
Brougham, Henry
Burdett, sir F.
Calley, Thos.
Calcraft, John
Campbell, Gen.
Campbell, hon. J.
Cavendish, lord G.
Cavendish, hon. H.
Cavendish, hon. C.
Calvert, C.
Caulfield, hon. H.
Coke, T.
Chaloner, R.
Cocks, hon. J. S.
Cocks, James
Cochrane, lord
Dickenson, W.
Dundas, hon. L.
Dundas, Charles
Duncannon, viscount
Elliot, right hon. W.
Ebrington, viscount
Folkestone, lord
Fitzgerald, lord W.
Fazakerley, J. N.
Finlay, Kirkman
Fellowes, Newton
Fergusson, sir R.
Fitzroy, lord J.
Foley, hon. A.
Foley, Thomas
Gordon, Wm.
Grenfell, Pascoe
Guise, sir B. W.
Grant, J. P.
Hamilton, sir H. D.
Heron, sir R.
Heathcote, sir G.
Howorth, H.
Hurst, Robt.
Horner, F.
Howard, hon. W.
Hornby, E.
Jervoise, L. J.
Langton, W. G.
Lambton, J.
Lemon, sir W.
Lloyd, sir E.
Lloyd, J. M.
Lyttelton, hon. W. H.
Lockhart, J. T.
Mostyn, sir Thos.
Morland, S. B.
Macdonald, James
Markham, John
Mathew, hon. gen.
Madocks, Wm. A.
Martin, H.
Martin, John
Milton, visc.
Monck, sir C.
Moore, P.
Morpeth, visc.
Mackintosh, sir J.
Northey, Wm.
Newman, Rt. W.
North, Dudley
Newport, sir J.
Neville, hon. R.
Nugent, lord
Palmer, col.
Pellew, hon. P.
Peirse, H.
Pelham, hon. C.
Pelham, hon. G.
Philips, George
Ponsonby, rt. hon. G.
Ponsonby, hon. F. C.
Pym, Francis
Preston, Richard
Russell, lord G. W.
Russell, R. G.
Ramsden, J. C.
Ridley, sir M. W.
Romilly, sir S.
Rowley, sir W.
Scudamore, R.
Shelley, sir T.
Smythe, J. H.
Smith, John
Smith, Abel
Smith, Samuel
Sebright, sir J. S.
Tierney, rt. hon. G.
Taylor, Charles
Tighe, Wm.
Walpole, hon. G.
Western, C. C.
Wharton, John
Wilkins, Walter
Williams, sir R.
Wynn, sir W.
Wynn, C. W.
Winnington, sir W.
Waldegrave, hon. capt.

Tellers.
Fremantle, Wm.
Lewis, F.

It was agreed, that the House should go into the committee on Friday; after which the House adjourned at half-past four o'clock on Thursday morning.

HOUSE OF COMMONS.

Thursday, February 29.

Petitions against the Property Tax.] Mr. *Shaw Lefevre* presented a petition from Reading against the property tax, which he prefaced with a few observations expressive of his cordial concurrence in the sentiments of his constituents.

Sir *John Simeon* denied the accuracy of his constituents in their statement that parliament would violate their pledge by the continuation of the tax. He, for one, denied that any pledge had been given on the subject. At the same time he admitted, that under all the circumstances of the case, it was not desirable that the tax should be continued, and it was his intention to vote against that continuation. The petitioners had, however, very preposterously imagined that there was a connexion between the property tax and the proposed military establishments. For himself, if he thought the proposed military establishments endangered the liberty of the country, he would be the last man to consent to their adoption; but the supposition was too absurd to be for a moment cherished. The application of the petitioners was premature.

Mr. *Horner* was glad to hear that the hon. and learned gentleman's constituents were at least to have the benefit of his vote against the tax. With respect to the tax itself, the hon. gentleman's constituents were more in the right than the hon. gentleman. There was nothing preposterous in connecting the property tax with the military establishment, because it was on the alleged ground of the necessity of the latter that the former was demanded. His objections to the establishment, were to it as an establishment, and his objections to the property tax were, to the imposition of such a tax for such an object. The hon. and learned gentleman did not seem to understand the language of his constituents. They had not accused parliament, but his majesty's ministers, of a breach of faith. The former would have been absurd; the latter was the fact, and a grave subject of complaint it was against them. He had attended parliament as diligently as the hon. and learned gentleman, and his distinct recollection was, that ministers described the measure to the House as a war tax, and only a war tax. The attempt to impose it on the people in time of peace was a forfeiture of that pledge.

Mr. *Methuen* wished to know, if the hon. and learned gentleman fancied his constituents premature in their application to parliament on this subject, when he thought would have been the proper time for them to have chosen.

Mr. *Davenport* rose merely to say, that he had always considered the property tax as a war tax, and as a war tax only, and on that ground he should vote against it.

Sir *Charles Mordaunt* stated the prevalence of the general feeling out of doors as to the violation of faith which the proposal to continue the tax involved. He trusted the right hon. gentleman would not persevere in the measure.

Mr. *Dickenson*, in presenting a petition from Wellington, in Somersetshire, against the property tax, stated, that his opinion was still stronger against the measure than that of his constituents. He represented in powerful terms the distresses of the farmers, and declared, that if the existing grievous weight of taxation were not taken off, the House would see one class of society sink down into that next it; and what would become of the lowest class he left it to them to imagine. He dwelt emphatically on the advantages enjoyed by the fundholder over the landholder; and yet it appeared the determination of ministers to support the former, and to destroy the latter. He warmly deprecated making the funds every thing and the land nothing. The welfare of those who were connected with the soil was the only solid superstructure of national greatness.

Mr. *Staniforth* presented a petition from Kingston-upon-Hull against the property tax. The hon. gentleman represented the trade of Hull to be in such a state of depression that if the tax were persevered in, the consequence must be general ruin.

Mr. *Thompson* confirmed the statement of his hon. colleague. As many bankruptcies had occurred in Hull within the last ten months as had taken place there within the preceding ten years. The farmers in the neighbourhood were still greater sufferers than the merchants; for they were shut from all appeal from the assessments. To these evils they had for two years submitted as quietly as their sheep. They had been shorn to the skin. But he trusted they would soon be relieved, and that of this measure, which was an unequivocal breach of faith, and against which so many petitions had been presented, the House would soon hear no more.

Mr. *Lockhart* presented a petition from the united parishes of St. Andrew's, Holborn, and St. George the Martyr, against the property tax. He said that he agreed for the most part in the sentiments of the petitioners. It was most unjust to put the trading part of the community, and those who derived their income from temporary, on a footing with those who derived their income from permanent sources. Still, however, a certain sum must be raised, and a property tax seemed to him to be necessary. He would, however, have it considerably modified: he would have it bear on the fundholders, and on the possessors of places and pensions, to the relief of the agriculturist and the tradesman. He would support any property tax which had that object. As to the question of pledges, he conceived that parliament could never give a pledge that should be held as precluding them from the discharge of their first, their original duty, to consult the interests of the people in every case, with reference solely to the particular circumstances of the time.

Sir *John Newport* observed, that the measure which the hon. and learned gentleman recommended, would no longer be a property tax. He thought it an extraordinary way of supporting a bill, to say, that in the committee three-fourths of it might be got rid of. The shorter and simpler method would be to reject the tax in the first instance; and the hon. and learned gentleman might then bring forward a bill founded on his principle. If he did he should have his support.

Lord *Nugent* exposed the fallacy of the hon. and learned gentleman's assertion, that it was necessary to raise a certain sum for the expenses of the year. The noble lord said, his chief objection to the tax (laying aside for the moment his great objections to its principle and details) was, that it threw a great revenue into the hands of ministers, before they had pledged themselves to measures of retrenchment. Until that was done, he would oppose not only the property tax, but every modification of it, and every measure that might be suggested for the purpose of raising money.

Sir *C. Burrell* contended, that the pledge given that the tax should be a war tax only, ought to be considered as inviolable.

The petitions were ordered to lie on the table.

INCREASE OF TAX-COLLECTORS SALARIES.] Mr. *Brougham* moved for an account of the number of additional collectors and assessors of taxes appointed in Scotland since the 25th of March 1815, and their salaries.—Ordered.

Mr *Bennet* moved for an account of the increase of the salaries of the commissioners of taxes since the 25th of March 1815; also, an account of the increase of the salaries of the post-office, and of any new offices appointed since the 1st of January 1815.—Ordered.

Mr. *Lambton* moved for an account of the increase of the salaries of the Auditors of the Excise since the 25th of March 1815.

Mr. *Brougham* expressed his hopes that a return of *nihil* would be made to some of these expenses which were suspected to have been increased. Such a return would prove a most refreshing sight to the country, oppressed as it was with burthens. He was the more anxious for the motion of his hon. friend, because many of those who were interested in the continuance of the most odious taxes, had thought proper to interfere of late against meetings of the people, convened in order to petition against the property tax. They had done so, rightly judging that without such a tax their own salaries, in many instances unmerited, could not be continued at their present high rate; and therefore prudently thought it better that they themselves should be affected by a tax which took from them but five per cent. rather than be obliged to part with their lucrative salaries altogether. Among other instances which might be brought forward, he would notice the conduct pursued by the mayor of a very considerable town, which he need not mention. This gentleman had refused to give his sanction to a requisition duly signed for a meeting to petition against the income tax. Now, it so happened that a very near relation of this magistrate enjoyed a situation under government, the salary of which had been lately raised from 600 to 800*l.* per annum. Another mayor of a borough had in like manner refused to convene a meeting for a legal purpose, although every proper form had previously been gone through. And here he would take an opportunity to rebut the assertion of those who said, that the Crown, by the creation of new offices, did not acquire a new and dangerous source of influence over the liberties of the people. The magistrate to whom he last alluded had three sons in the navy, and one in the victualling department. It should be remarked that magistrates, such as he had mentioned, did not merely do individual injury to the cause which they opposed, but that from their influence as heads of corporations, and of the respective bodies to which they belonged, they must possess considerable power of determining many, contrary to what they really thought and felt. He could mention another case of similar interference in one of the most respectable cities of the west of England, and many others also, but they were too well known to require him to dwell longer on the subject. He would not, however, omit to put in his most solemn protest against any right which a mayor, or other head of a corporation might assume, of refusing to comply with a requisition duly signed for a lawful purpose. The instances which he had mentioned, though but a few selected out of many, would serve to show what means were employed to smother the voice of the country.

Mr. *Arbuthnot*, in answer to what had

been observed by the hon. and learned gentleman who spoke last, could sincerely declare, that so far as his information extended, no influence whatever had been exercised by his majesty's government to prevent the people from meeting to express their opinion on the subject of the property tax.

Mr. *Brougham*, in explanation, said, that he had not charged the Treasury with direct interference on these occasions, but he entertained little doubt that the representatives of the boroughs to which these magistrates belonged, would, when an opportunity offered, mention the names of these gentlemen as highly loyal men, fit to fill offices which it might be convenient for ministers to present them with [a laugh].

Mr. *Ponsonby* did not think that ministers had been charged with direct interference, but he conceived their conduct in that House respecting the property tax, was a pretty clear intimation to their agents abroad, how they would wish them to act.

Lord *Milton* observed, that persons who were looking to the government for patronage understood these matters very well, without having received any special intimation. Individuals would say when applications were made to them for support at elections, "I have such and such sons in the army, and therefore I cannot support such a candidate."

Mr. *Arbuthnot* begged to state most positively, that in no way whatever had government authorized any persons to prevent petitions from being sent to that House. It could not be supposed that they should wish to stifle objections in any part of the country; but if individuals took upon themselves to interfere, ministers should not be made responsible for their conduct.

Lord *Binning* said, that the hon. and learned gentleman had commenced his attack on the government, but it appeared that his battery was now changed. If certain mayors, in certain corporations, who were under obligations to government, had endeavoured to stifle petitions, or to make the petitioners approve of the tax, ministers ought not to be accountable for those measures.

Mr. *Brougham* begged to explain the charge brought against him by the noble lord, the new chancellor of the exchequer. He had not changed his battery; he had always said his complaint was against those mayors whose conduct was influenced by favours already received, and the expectation of further advantages.

Lord *Binning* repeated that, at the close of his speech the hon. and learned gentleman did make the charge on his majesty's government.

Sir *M. W. Ridley* was sure that his hon. and learned friend never made such a charge, but had stated, that the influence of ministers in the excise, customs, and other departments, had produced a very decisive effect in preventing these petitions from being brought forward. The numerous petitions then upon the table showed that they had not succeeded; but it could not be doubted that the patronage of government had influenced the conduct of individuals in particular places.

Sir *George Warrender* knew that a very great difference of opinion existed in many parts of the country respecting this measure; but he could confidently state, that in his neighbourhood the plan of finance of his right hon. friend was particularly approved, because the agricultural distress would be relieved by upholding the public credit of the country by means of this tax. From all he had heard, he could not forbear to observe, that if charges of this nature were to be repeated, it would be a very pretty sort of war. The grossest misrepresentations had been circulated in the country respecting this tax. He had himself read hand-bills, that it was intended to lay the tax on servants, and to deduct it from the wages of artisans. These statements could be made for no other purpose than to excite public clamour. If ministers chose to recriminate, and say that gentlemen on the other side had made representations which the lower orders did not understand, there would be no end to this kind of war.

Sir *R. Fergusson* said, it might be very possible that many friends of the hon. baronet approved of this tax; but with respect to the particular part of the country from which he came, it had been always distinguished by a most tenacious adherence to every measure of every administration.

Lord *Binning* would venture only to remind the hon. general, that there was at least one administration to which they were not attached: he meant that administration to which the hon. general himself had belonged.

Sir *R. Fergusson* said, their continuance in office had been so short, that the people had not time to form an attachment to them.

Sir *George Warrender* repeated, that notwithstanding the weight and influence which the hon. and learned member seemed to have with some gentlemen opposite, various districts had positively declared, that they approved of the plan of finance of his right hon. friend.

Mr. *Bennet* observed, that with respect to his hon. and learned friend, he ought to have the greatest weight on that side of the House, because he always stood forward in defence of the rights and liberties of the people.

Mr. *Thompson* hoped, that whatever might have been the understanding between government and certain individuals, the people would continue to meet and express their opinions without the control of any mayor or constable whatever.

The motion was then agreed to.

Irish Farms Recovery Bill.] Sir *John Newport* rose, in pursuance of his notice, to move for leave to bring in a bill to obviate certain difficulties to which landlords and tenants in Ireland were liable. The object he had in view was to assimilate the law of Ireland to that of England, in so far as, whenever a tenant should abscond, and not leave sufficient property on the premises, the landlord might not be obliged to have recourse to the circuitous mode of ejectment, but avail himself of that summary process which was used in England. He also wished to secure tenants against the evils to which in Ireland they were peculiarly liable; he meant, where the mesne tenant received rent of the paravail tenant, and did not pay the paramount landlord, whereby the property of the paravail tenant had been frequently distrained. The third object was, to enable the landlord to recover possession when half a year's rent should be in arrear, and there was no sufficient distress upon the premises. This was the law of England; but, in copying the words of the statute, a mistake had been made, and, instead of "half a year's rent," the words "more than half a year's rent" had been introduced into the Irish act, so that the landlord was obliged to suffer a whole year's rent to be in arrear, as rents in Ireland were generally received half-yearly. The last object was, that where tenants overheld, after having given notice to quit, they should be bound to pay double rent. Having stated these objects, he should reserve himself for a more particular detail of the provisions of his bill, if the House should permit him to bring it in. The right hon. baronet then moved, "That leave be given to bring in a bill to amend the law of Ireland, respecting the recovery of farms, from absconding and defaulting tenants, and for the protection of the tenant from undue distress."

After a few words from Mr. Vesey Fitzgerald, and colonel Vereker, leave was given to bring in the bill.

HOUSE OF LORDS.

Friday, March 1.

Civil List.] The Marquis of *Lansdowne*, before the House proceeded to the order of the day, was desirous of taking that opportunity of calling their lordships' attention to a matter in which their own dignity, as well as the respect due to a legislative enactment, were very much concerned: and, as a foundation for what he was about to say, he proposed that the clerk should read the first clause of the act of the 55th Geo. 3d, cap. 15. [The clerk accordingly read the clause, in which certain returns respecting the amount of excess on the civil list were ordered to be made regularly to parliament in every year, on the 28th of February at the latest.] The noble marquis called the attention of the House to this, in order to obtain from the noble earl opposite some explanation why, if there was any such excess on the civil list, the returns had not been made to their lordships, pursuant to the act.

The Earl of *Liverpool* said, there was no intentional negligence. The delay, he presumed, had been occasioned by some unavoidable causes; but the accounts, he could undertake to state, were in forwardness, and would soon be presented.

The Marquis of *Lansdowne* said, he trusted the noble earl would take care that the accounts should be soon presented, and also come prepared to state what were the unavoidable causes which had prevented the returns from being made at the regular periods. At the same time he could not help observing, that it would have been much more proper, and more consistent with the respect due to parliament, if the noble earl, finding that the papers could not be presented within the regular time, had brought down a communication from the throne, stating the reasons why the act had not been complied with. Their lordships must know with what attention the returns ordered by the revenue acts were enforced; and why should not the subject have the security of an equal degree of attention to returns under acts of this description? They had now waited till the very last day, and no return had been made, nor any information given why the papers had not been presented within the proper time. Acquiescing, however, for the present, in the noble earl's statement, that unavoidable causes had prevented the return, he again insisted that a communication ought to have been made from the Prince Regent, stating the reasons why the act had not been complied with.

Lord *Holland* said, that the noble earl seemed to consider the not presenting the papers as an irregularity of little consequence: but it was disobedience to an act of parliament in a matter of great importance—of importance at all times, and peculiarly so at present. The noble earl ought at least to have before stated to the House what was the amount of the excess, how it had taken place, why the accounts had not been presented, and when he expected they would be presented.

The Earl of *Liverpool* said, he had merely stated that he was sure the delay could not have been the effect of wilful negligence. He could not name a day for their being presented.

Lord *Holland* said, that this was an illegal delay, and peculiarly objectionable at present, when parliament was engaged in the consideration of matters with respect to which the public mind was strongly irritated, from a dreaded violation of a pledge of government and parliament that the income tax would not be continued during peace. If the accounts were not soon presented, he trusted his noble friend would bring the question before the House by motion.

AUSTRIAN LOAN—PECUNIARY SACRIFICES.] Lord *King* rose, pursuant to notice, to call the attention of the House to the pecuniary sacrifices which had been made by this country in its treaties and transactions with the continental powers. It was his intention to submit two motions to their consideration with reference to this subject. The first was, for a communication to the House of what measures had been taken by ministers to recover all or any part of the sums due on account of the loan made to Austria in 1796; and the other was, for an account of the steps which had been taken to recover from Russia the sums paid for interest in respect of the loan obtained by Russia in Holland, and to procure a discharge to this country from its engagements on account of that loan. It was necessary, for the right understanding of these treaties, to look at the accounts connected with them, in order to see the amount of pecuniary sacrifice which this country had made. In these treaties he believed there were no less than twenty-five subsidies, exclusive of the subsidies to the great powers. The omissions in the treaties in this respect were not less extraordinary than the matter contained in them. No attempt whatever appeared to have been made, in the course of the negociations to claim for this country the just debts and large balance due to her on account of loans made to foreign powers. In order to bring into one view the amount of sacrifices on the part of this country, the particulars might be classed under the following heads: 1st, the Austrian loan of 1796; 2d, the balance due from France on account of prisoners of war; 3d, the Russian loan in Holland; 4th, the advances of 600,000*l.* and afterwards of 300,000*l.* to Portugal. As to the Austrian loan, their lordships, or some of them at least, would remember the circumstances under which it was contracted for, and the statements made to parliament, at that period. Great stress was then laid on the good faith of the Austrian government, and the confidence that might be reposed in it for repayment. Securities were formally taken, and we were to have the right of sueing the emperor on these securities in his own courts. This was surely a matter of too much importance to have escaped the attention of the negociators on the part of this country, and he hoped some representations had been made on this subject. But it was with a view to have that matter brought regularly before their lordships by an official return, that he now proposed to move for these papers. The sum was too large to have escaped attention, and some representations must have been made, or some satisfactory reason ought to be given, for the omission to make the demand. If their lordships would look at the original amount of the loan, which was seven millions three per cents. together with the interest which had accrued upon it, they would find that about 14 millions were due to this country on that account. Austria certainly had not been slow in enforcing her own demands, or in raising contributions, where she had no such just right as we had against her. She had raised contributions in Naples, where she had no claim, or, at least, none so strong and clear as the right of this country for repayment of the loan in question. What had been the conduct of the other powers on the continent? All of them had put forward their claims. The claims between Austria and Russia, in respect of their shares of Poland, had been adjusted with the utmost nicety; and in the treaty between Russia and Prussia there were no less than five or six articles of this description. The attention of those who negociated on behalf of this country, must have been called in a particular manner to this part of their duty. Then one million having been paid, there remained about thirteen millions due on account of this loan; and this, added to the advances on account of the Russian loan and our liberality with respect to it, our advances of 900,000*l.* to Portugal, and the balance due from France on account of prisoners of war, made a total of about 28 millions due to this country; a pecuniary loss equal to the whole amount of the contributions imposed on France, as an indemnity for the ravages which that country had committed during a war of twenty-five years continuance. It might be said, perhaps, that the length of time since these debts had been contracted was a reason for not insisting upon payment. But why was not length of time allowed in our favour? This country was still liable on account of the Russian loan in Holland of 1782; and, if so, why not pay some attention to our claims upon other powers? There might, perhaps, have been good reason for not insisting upon this demand against Austria at the time of the treaties of Campo Formio, Luneville, and Vienna, after the defeats which had led to these treaties. But why had not the claim been made during the late negociations? It appeared to be the effect of the new doctrine of disinterestedness on the part of this country, which had led our minister at congress to neglect the interests of the nation, and then to make a boast of it. This was of the same nature with other blunders in these treaties. He alluded more particularly to that sort of expensive and disinterested generosity by which we had agreed to leave the northern fortresses in the hands of France, because we could erect others for the defence of Europe. In truth, we had better almost have had no minister at all at congress, since our just demands had been thus neglected by a minister who attempted to convert his blunders into proofs of liberality and disinterested generosity on the part of this country. It was proper that their lordships should have on their table an official return with reference to this subject, that the fact of negligence might be regularly before them; and with that view he should move, first, for copies of instructions sent to, and of representations made by our ministers at Vienna, Paris, or elsewhere, for the recovery, or in the way of claim, of debts due by Austria and other powers to this country.

The Earl of *Liverpool* said, that though the Austrian loan was the subject of the present motion, it would be more convenient generally to notice the other points to which the noble lord had adverted, as well as that of the loan in question. The history of this loan must be well known to some of the noble lords now present. That transaction commenced in 1795, and took place under circumstances which afforded good grounds for the belief which was then entertained, that Austria would perform the conditions of her engagements. Their lordships were aware of the events which followed the transaction in question, and which ended with the treaty of Campo Formio. Very soon after, there was every appearance of the renewal of hostilities; but the only hope of Austria being able to make another struggle, depended on our not pressing the payment of the loan at that period. He would ask, then, whether the government of that period was to blame in not pressing the execution of the agreement? He would ask whether Austria was to blame in not having fulfilled it? Their lordships also knew the result of that effort on the part of Austria. If any representations were made at that time on the subject of this loan, it must have been merely in the shape of verbal communication with the Austrian ambassador, as he could find nothing about it in the office here. In 1803 the war broke out again, and the coalition was formed which took place under the last administration of Mr. Pitt. Not a word was then uttered of any intention to insist upon the payment of this loan; and certainly the minister who was then at the head of the administration, could never have thought of risking the fate of that confederacy by pressing this demand so unseasonably. The result of that coalition with respect to Austria was, that after the capture of Vienna, she was compelled to sign a separate treaty of peace. After that event not a word was said of enforcing this claim; so far from that, in the adjustment of some other matters of this description between this country and Austria, a balance of 500,000*l.* was recognised as due to Austria, without any reference to this demand. He thought that this was a just and politic proceeding. But, at any rate, such was the fact; and if it had been understood that there was any intention to enforce the demand in question, something then would have been said about it. The next coalition was in 1809; a subsidy was again advanced, but not a word was said about this demand. A loan, indeed, was then out of the question; and he believed it became a maxim with every administration, after the experience of the Austrian loan, not to engage in any transaction of that kind. Russia had applied to the administration, of which the noble lord opposite (lord Holland) formed a part, for permission to negociate a loan in this country. This was refused, and, he believed, upon the acknowledged ground of the fate of the Austrian loan; and in that he thought they had acted rightly. Whether they did right in refusing to support Russia in another way was a different question, which he would not now stop to consider. Such was the state of matters with respect to this loan in 1813. Their lordships were aware how much depended upon Austria at that period. If it had been intended to enforce this claim, he thought it ought to have been stated distinctly to Austria, when she was called upon to join the confederacy for the salvation of Europe, that such was the intention. But was it advisable then, when the fate of Europe hung as it were by a thread, to throw any difficulty in the way of the formation of the great confederacy of that period, by bringing forward this demand? Why, then, as no intimation was given at the time of the Austrian accession, that it was intended to insist upon this demand, the claim could not afterwards be fairly made. It ought to be recollected how much Austria had exerted herself in the cause of Europe—how many partial defeats she had suffered, and how soon she had arisen therefrom. We ourselves had suffered much by the war. But their lordships would consider the sufferings of Austria, who had lost some of her finest provinces, and whose capital had been twice in the power of the enemy. He was glad that Austria had been favoured in the negociations; and it would be observed that even Russia, a power not in a very flourishing way in respect of her finances, had agreed that Austria and Prussia should have the greater part of the first French contribution, on account of the distressed financial situation of these two countries. The inference he drew from all this was, that it must have been understood long ago on all hands, that this demand was not to be insisted on. Then, with regard to the Russian loan, it had been thought most prudent and expedient, under the circumstances, not to stir the question. It was to be observed, that the interest was to be paid by this country only as long as the Low Countries remained united to Holland, and it therefore became the direct interest of Russia to support and maintain that union. If the period should arrive when that union should be endangered, posterity would say that it was an instance of the wisest policy to have committed Russia by these engagements to the support of this important arrangement. It was easy, when the difficulties were over, and arrangements had been completed, to criticise the treaties in this and the other particular. But their lordships would look at the difficulties which the government had to contend with, and what it had done. When Buonaparté was driven with such immense losses from Russia—when the Russian armies had passed the Vistula, and the Oder in pursuit, would it not have been easy for her to have concluded a separate treaty with France? Many in Russia thought that this would have been the wisest course of Russian policy, and were anxious for its adoption. That, however, was not the opinion of the Russian monarch. The Russian armies, therefore, continued to advance, nor stopped till the independence of Europe was secured, as far as that object could by human prudence be accomplished. He contended, then, that Russia had a fair claim, he would not say upon the strict justice, but on the generosity of this country, for the pecuniary sacrifice which we had made on her account, more particularly when considered with reference to the arrangement with regard to the Netherlands. That was directly of the highest advantage to this country. Did their lordships recollect the former state of the Scheldt—of Antwerp? This country, as well as Holland, had largely profited by this arrangement; and our proceedings in this respect had been wise, just, and politic. He admitted, that the principle was not one which ought to be encouraged; but what he maintained was this, that, under the special circumstances in which this country had acted, the pecuniary sacrifices to which we had submitted were justified by the soundest views of prudence and expedience.

Lord *Holland* observed, that the noble earl had told the House, in the latter part of his speech, that it was extremely easy, after the contest was over, to criticise and find fault with arrangements that might have taken place in the course of it. But this remark was completely off from the point in question, for the drift of his noble friend's motion was, to ascertain the nature of the negociations that had taken place on the loan to Austria, after the danger was past. Neither had his noble friend passed any censure on the arrangements that might have been made, but merely wished to inquire why, when we had given up so many interests, this also had been relinquished? The noble earl had stated at some length, all that had occurred during the war as to the pecuniary assistance that had been afforded to Austria. He was extremely generous to those ministers that had gone before him, and had completely justified all prior administrations for not pressing our claims on Austria; but he had assigned no sufficient reason for not insisting, or at least asking, for the money she owed this country at present. It might have been impolitic and ungracious, when entering into a confederacy with her, to have at such a moment brought forward our claims; but when the war was over—when Austria had recovered all her own provinces, and more than her own—when the principle of indemnity for the past was acted upon in so many other instances, it was unaccountable that our just claims upon her should not only not have been pressed, but should have been entirely overlooked. The administration of which Mr. Fox formed a part, did not press the claims of this country, because they thought that the independence of Austria formed the best hope for the security of Europe. But did their reasoning, grounded on the difficulties in which that power was then placed, at all apply at the present moment? As there had been so much talk of reading moral lessons to nations, and particularly France, he wondered that it should have been forgotten to suggest to Austria the moral lesson of paying her debts. The conduct of government towards France and Russia had been very different. In regard to them, the noble earl had insisted on the policy of enabling Russia to pay debts which she had contracted thirty years ago, and of compelling France to pay the sums which she owed to British creditors. There could be only two reasons for his forbearance towards Austria; they were these—either that the debtor was in no condition to pay the debt, or that the creditor was in no want of the money; for no one would contend that the debt was not fairly due. First, then, as to the supposed plea of Austria being unable to pay the money. That she might be in some imaginary financial difficulties he would not deny; but there was no reason to suppose that she was in greater difficulties, than ourselves. She had had her own provinces restored to her, and not only her own, but provinces had been detached from other countries, and given to her. She was more than indemnified for the loss of the Netherlands by the possession of the Venetian provinces. If France had despoiled Venice of her horses, Austria had taken the stable to herself. It seemed, according to the new doctrines of state policy by which the states of Venice and Genoa were transferred to sovereigns, that if any prince had a claim, either of convenience or ambition, to a territory, it was to be given him at once; but that English money, or popular rights, if once lost, could never be reclaimed. The people of Venice and of Genoa had no claim to the recovery of their lost liberty and independence! This, it seemed, would be the ripping up of old sores, just as it would be ungracious and unreasonable for the people of this country to ask for their own money! That Austria might not manage her finances with so much ability, nor be able to extract so much money from her people, as our government did, was very probable; but the fact was, that a large portion of her restored provinces came back to her in a much better state than when she relinquished them: this was a fact to which all travellers in those countries could bear testimony. And therefore, when we took into account her valuable Polish provinces and her Lombardo-Venetian states, there seemed no reason to suppose her financial means were not most ample,—unless, indeed, according to the modern doctrine, we must consider her population as her natural enemy, and as placing her under the necessity of maintaining increased military establishments. The next question was, whether this country was in want of money?—and about this none of their lordships could have any doubt. They had been told, indeed, in the speech at the commencement of the session, of the high prosperity of the country—a prosperity that was flatly contradicted by the almost unanimous voice of the population. The people of this country, during a prolonged contest, had borne, with unparalleled fortitude, the burthens of a taxation unexampled in history. At the end of such a contest were they to be told—"you are still, even in peace, to be oppressed with taxes," while the other countries which they had rescued by their blood and treasure, were not even to pay their just debts, because, forsooth, they were unwilling, or said they were unable, though their resources had so greatly increased? This, however, was the sum and substance of the noble earl's statement. The noble lord, in further illustration of his argument, adverted to the stipulations of the treaty of Paris, enforcing the claims of British creditors on the French government. The reason there assigned was lord Auckland's commercial treaty of 1786. Now, he was not quite certain whether that treaty had not expired when the revolutionary government broke faith with the public creditor. [Here it was suggested to the noble lord, that the commercial treaty was to last for twelve years.] Well, then, it was then very near its expiration; but at any rate he very much doubted whether that treaty contemplated any thing but commercial debts, and therefore could not be founded upon as a ground why the British creditors of the French govenment should now be paid: but at any rate a peace was made in 1802 with the legitimate successor of the revolutionary government of France (though, according to the modern doctrine, he must not call a first consul or a republic legitimate). The noble earl opposite had himself negociated that peace. How did it happen that he did not then urge the claims of British creditors? He applauded him for not having done so. He should have said to those British creditors —"you lent your money to a foreign government, for the benefit of a foreign country, and to the detriment of your own; and we are not called upon in justice, to argue in support of your claims." He considered any stipulation for the liquidation of these debts as mischievous in point of policy, and holding out a premium to the monied men of this country to lend their money to the French government. It was curious that lord Auckland's treaty had long gone to the tomb of all the Capulets; and yet it was now alleged as the reason for giving British creditors the money they were refused in 1802. Not only was this the case, but the treaty of Paris guaranteed to them the whole of their debts, while the other French fundholders had lost two-thirds of theirs. What was this, but saying to the monied men of Great Britain, "you shall not only have the high premium which the distresses of the French government may force it to pay for loans, but also the guarantee of this government for its security." Such was the conduct of ministers in enforcing the claims of private individuals on France, while the just claims of the country on Austria were entirely overlooked. Let their lordships see how this proceeding cut in another way. This country, notwithstanding its proverbial good faith, might still, were another war speedily to break out, be under the necessity of making a composition with its creditors, and of saying to them, like the French revolutionary government, as we cannot give you the whole, you must take a part. In what situation would this provision of the treaty, in such event, place us with regard to the foreign creditor? What should we have to say to him? "Though compelled to break our faith with our own subjects, we cannot with you." Such were the nature and necessary effect of the notable contract into which we had entered. As to the transactions with Russia, it should never be forgotten that the debt, the payment of which we had guaranteed, originated in one of the most hostile proceedings against this country, namely, the armed neutrality. In regard to France, ministers had given up six or seven millions, justly due to the country for the maintenance of prisoners of war, in return for three millions due to individuals. Thus, as the French negociators remarked on the occasion, we had given up five shillings to receive half-a-crown. The whole was a most suspicious transaction, and merited inquiry, particularly when no effort at all had been made for recovering our just debts from Austria. He had heard nothing to convince him of the propriety of not pressing for those sums at present.

Earl *Bathurst* argued, that it had never been thought politic to bring forward our claims upon Austria in the various arrangements that had been made with her. Subsidies had been advanced to her at various times since the loan, and had the different administrations which did this contemplated repayment, they should have, at such times, given notice of their intention in future. The administration to which Mr. Fox belonged had paid a sum of half a million to Austria, which she claimed as a right, not as a favour: and as the loan to Austria was not then mentioned as a set-off, the country seemed to be precluded, in point of equity, from pressing their claim. With respect to the case of British creditors, he would go further than his noble friend had done, and say that the objections now made upon that subject, ought to have been made, not last year, but the year before; for the arrangement in question took place in the treaty concluded in May 1814. That treaty, however, had been submitted to parliament, and received its unanimous sanction, and surely when we gave the British creditors reason to expect they would be paid pursuant to the stipulations of that treaty, we were bound to secure them in any treaty we might afterwards conclude.

The Marquis of *Lansdowne* denied that this was a motion for censure; it was merely for laying a ground for further discussion. The noble earl who spoke last had contended that this country was precluded from pressing her claims upon Austria by advances which she had made at various times since the loans. This was to argue as if, when a merchant was called in to the assistance of a friend in pecuniary embarrassment, he was debarred, by the temporary assistance he might afford, from setting up his just claims when that friend was restored to prosperity. Austria had been restored to prosperity, partly by our efforts and assistance; and our forbearance at the period of her adversity was not to be urged as a just bar to our claims. But, at any rate, this particular period should be chosen as that in which the transactions between the two countries should be formally closed. A recognition was at least due from Austria that she had incurred such a debt. If we had agreed to abandon it, it should have appeared on the face of the negociations that we had done so in the exercise of our discretion, or in return for adequate advantages. There should have been some specific act recording that this country had agreed to relinquish its claims. However extravagant it was to pay 500,000*l.* to Russia for her fleet, and to pay the Brunswickers and Hanoverians their extraordinary expenses, for which they had no claim, there were at least specific acts for these measures, and the same should have been done in this case. After the large loan of seven millions had been given to Austria; after all the assurances given at the time of its repayment; and when the parliament was told that she might be prosecuted for it even in her own courts, was it not strange that the account should be treated as closed, without a single syllable being said on the subject? If it was right to forego the claim, it was right also to give up the securities, consisting in actions of the bank of Vienna, which were still, he believed, deposited with the bank of England. The guarantee of the British creditors in the French funds, adverted to by his noble friend, formed a very important question of policy. It was to be considered, that in proportion to the distress of France, she would be compelled to offer a higher bonus. This would be a reason for our monied men to take their property from our own funds, and transfer them to those of France. Was it just or politic to support such proceedings as these by the guaranty of this country? The noble marquis expressed his concurrence in the motion of his noble friend, and concluded by hoping that ministers would not deny to the House the information they sought for.

The motion was then put, and negatived without a division.

HOUSE OF COMMONS.

Friday, March 1.

ACCOUNT OF MONEY PAID OR DUE BY FRANCE TO THIS COUNTRY.] Mr. Arbuthnot presented to the House, pursuant to order,

An ACCOUNT of all sums of Money paid or now due and payable, to this country by France; in virtue of the Treaties or Convention concluded at Paris on the 20th November last; and of such parts thereof as have been received, specifying by whom; —together with an Account of the application thereof, and of the authorities under which the same has been issued.

Under the convention concluded in conformity to the fourth article of the principal treaty, France is to pay to Great Britain 125,000,000 francs, at the periods hereunder specified.

During the Year	francs.
1816	15,000,000
1817	27,500,000
1818	27,500,000
1819	27,500,000
1820	27,500,000
Francs...	125,000,000

There has been already made over by France to his majesty's commissioner at Paris, in bons on the trésor royal, 5,000,000 francs, being for the first four months, commencing on the 1st December 1815; and these bons have been regularly paid from the 1st December 1815, up to the date of the latest advices received from Paris, at the rate of 44,000 francs per day.

The above sum has been appropriated, under the authority of the lords of the treasury, in manner following:

	francs.
There has been retained by his majesty's commissioner, on account of the expenses of his establishment	41,000
The remainder has been deposited in the military chest of the army commanded by the duke of Wellington	4,959,000
	5,000,000

Under the second article of the convention, which relates to the 5th article of the treaty, the British share of the payments to be made by France on account of the army of occupation, will be,

During the Year	francs.	cents.
1816	6,428,571	42
1817	11,785,714	28¼
1818	11,785,714	28¼
1819	11,785,714	28¼
1820	11,785,714	28¼
	53,571,428	55

	francs.	cents.
There has been received by his majesty's commissioner at Paris, being the amount due to Great Britain for the month of December 1815	535,714	29
Ditto, for the month of January 1816	535,714	28

And the above sums, amounting together to 1,071,428 francs 57 cents, have been paid into the military chest, and applied for the service of the army, on account of which the payments were made, under the like authority of the lords of the treasury.

C. ARBUTHNOT.

Whitehall, Treasury Chambers,
29th February 1816.

ACCOUNT OF SUPPLIES FURNISHED TO SPAIN.] Mr. Arbuthnot presented, pursuant to order,

A RETURN of the Supplies, in Money, Arms, Ammunition, and Military and naval Stores, furnished to Spain; from the year 1811, to the latest period the same can be made out.

	£.	s.	d.
Estimated value of advances, in specie and bills	2,450,000	0	0
Value of arms and stores supplied by the board of ordnance	*501,344	6	7
Value of clothing supplied by the commissary in chief and store keeper general	1,354,921	4	9¾
Value of provisions supplied by the commissioners of victualling	51,572	16	10¾
	£. 4,357,838	8	3½

C. ARBUTHNOT.

Whitehall, Treasury Chambers,
27th February 1816.

PETITIONS AGAINST THE PROPERTY TAX.] Mr. *Atkins Wright*, in presenting the petition of certain tradesmen and others, inhabitants of the city of Oxford, against the property tax, begged leave to call the attention of the House to what those petitioners assigned as the cause of their present distress. That cause, they stated to be, the universal depression of the agricultural interest. This was a subject of paramount importance. He knew that many of the inhabitants of Oxford could not pay the tax, without utterly ruining themselves, because their trade had been very much affected by the impaired state of the agricultural interest, from which they had previously derived their support. He could hardly have conceived that the distress amongst the agriculturalists was so great, if he had not witnessed it himself. It was a melancholy prospect, for those who had been in the habit of viewing rural economy and industry in all its branches, to see young and healthy people thrown out of employment, and obliged to receive aid from those funds which were intended for the aged and infirm. In such a situation of affairs, the property tax, if renewed, could not be productive; and therefore it was necessary that some other resource should be applied to. It had been suggested, that the chancellor of the exchequer might procure a loan from the stock exchange; but this he declined, because he thought it would be the means of raising the stocks. He (Mr. W.) conceived, that the suggestion of Mr. Fox, in 1786, which was adopted by Mr. Pitt, might be resorted to. He alluded to the propriety of drawing on the sinking fund, in aid of any loan that might be deemed necessary. There was also another mode by which the exigencies of the times might be met. That mode was, by ministers redeeming the pledge of economy which they had given to the House at the commencement of the session—by their adopting, in every department of government, the most scrupulous economy. In conclusion, the hon. gentleman called on parliament to relieve the agricultural interest, before it was too late.

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* The value of arms and stores is made out as nearly as the same can be ascertained, it having been found, upon some occasions, impracticable to distinguish the destination of the arms, &c. furnished by the ordnance department.

Mr. *Lockhart* said, it was unnecessary for him to add to that true and touching picture of distress, which was to be found in this petition. He entertained the most earnest anxiety, that parliament should concur in every measure necessary for the relief of the agriculturalists. He agreed with the hon. gentleman in the observation he had made, that it was imperative on the legislature to assist that body, while it was yet susceptible of assistance. If relief were delayed much longer, none could be afforded that would be effectual. This ought to be the more deeply impressed on the minds of gentlemen, when they observed, that, in the petition then before them, it was truly stated by the tradesmen on whose behalf it was presented, that their distress was primarily occasioned by the distresses which at present overwhelmed the agricultural interest. Another observation of the hon. gentleman, in which he perfectly agreed, was, the necessity of a system of the strictest economy being adopted by his majesty's ministers. He would oppose every measure that was not marked by economy. Of his views, on this point, he had given the strongest pledge to his constituents, in the vote he had given two nights ago in that House—a vote which, however painful to himself, an imperious sense of duty demanded.

Mr. *Grenfell* expressed his opinion, that, if proper retrenchments were made in every department of government, particularly in the military department, it would be quite unnecessary to continue that odious burthen, the property tax; which, although exceedingly partial and oppressive in its operation, was, in a constitutional point of view, still more objectionable. He hoped that retrenchment, in the general service of the country, would render it unnecessary even to raise a loan from the public. But, if a loan should be called for, it would, in his opinion, be expedient, in the highest degree, to avail ourselves of the clause, commonly called Mr. Fox's clause, in the bill of 1786, and to take from the sinking fund the sum that was wanted. If a different course were pursued, the effect would merely be, to put into the pocket of the loan contractor, that profit which, under a different system, would amount to a considerable saving to the public. The property tax was so odious in its nature, that, under no modifications whatever ought it to be resorted to at a period of peace. It was not merely objectionable on account of its burthensome nature, but because its operation was so repugnant to every principle of civil liberty, that no country deserved to be called *free* which submitted to it. He alluded particularly to its inquisitorial power, which had been exercised in a way most oppressive and injurious to the public; not by the commissioners who performed their duties gratis—but by the commissioners for the affairs of taxes in Somerset-place. It was by them that what might be termed inquisitorial torture had been used. In his opinion, as to the propriety of making use of a part of the sinking fund, he knew he differed from many gentlemen on that side of the House, for whose abilities he felt the highest respect. He had stated his opinion, in 1813, and nothing that had since occurred had tended to alter the sentiments he then felt and expressed. His opinion was, that if this odious tax should be abandoned (as he hoped, from the general tone of disapprobation which the country had manifested, it would be), and if, every possible retrenchment having been made, some farther pecuniary assistance was still required, that it would then be more advantageous for the country, in the present circumstances, rather than have recourse to a loan, or to this most oppressive tax, to take what was wanted from the sinking fund.

Mr. *Hammersley* deprecated any interference with the sinking fund. On this point, he would remind the House of the last speech delivered by king William, one of the wisest and most powerful monarchs that ever reigned over this country, from the throne. In that speech, he had said—"I cannot but press you to take of the "public credit, which cannot be preserved "but by keeping sacred that maxim, that "they shall never be losers who trust to a "parliamentary security."* These were almost the last words of king William, and they ought not to be forgotten by that House. With respect to the property tax, he entirely agreed in the sentiments of the hon. gentleman who had last spoken. He considered the distress of the country to have been occasioned, in a great measure, by that detestable and shameful tax. It ought to be recollected, that parliament was pledged to put an end to this tax, when peace was concluded. That was one great reason for not renewing it. But there was another still greater—the consequences produced by this abominable measure. While that tax lasted, there was, in fact, no British constitution. This had been said, a few nights before, by a distinguished member of that House (Mr. Coke)—who, if he had not devoted himself entirely to the interests of the people, might have been now sitting with the greatest peers of the land—and he agreed entirely in the truth of the sentiment, which, coming from such a quarter, ought to make a deep impression on the House.

Mr. *Ponsonby* did not rise for the purpose of entering into any discussion as to the mode that should be adopted for meeting those expenses which the state of the country demanded. He wished merely to observe, that every gentleman had condemned, in his own name, and in the name of his constituents, that detestable measure, the income tax—and every part of the country was responsive to the feeling thus expressed. His hon. friend who spoke last condemned any appropriation of the sinking fund to the service of the country. He meant not to argue on the propriety or impropriety of such a measure; but he would call the attention of the House to the only true point connected with this subject—the reduction of expense in every department of government. Every thing else was quackery, delusion, falsehood, and imposition on the people. Reduction of expenditure in all the public departments, and above all in that department in which it was most practicable, the military establishments, was the only genuine mode of saving the country; and if his majesty's ministers were not disposed to adopt that mode, he trusted the House and the country would compel them to do so.

Mr. *Bennet* observed, that this was the second evening on which he had missed the right hon. the chancellor of the exchequer from his place in that House. This conduct he looked on as a deliberate slight to the House. Mr. Pitt, in the plenitude of his power, had never treated the commons of Great Britain in that disrespectful manner. There were other ministers, who likewise absented themselves; but surely the House was not to be deserted by the officers of the Crown, because the question of our great military establishment was not to come on that night.

Mr. *Goulburn* rose to express his firm opinion that the absence of his majesty's ministers did not arise from the slightest intentional disrespect. With respect to the noble lord, the secretary of state for the foreign department, the House was well aware that indisposition prevented his attendance. To his knowledge the right hon. the chancellor of the duchy of Lancaster (Mr. Bathurst) had been confined to his bed for some days. The right hon. the chancellor of the exchequer he had not had the pleasure of seeing that day, and therefore he could say nothing at all about him. But he trusted that his own ignorance with respect to the cause of the absence of the right hon. gentleman would not be urged as an argument to prove that he was intentionally disrespectful towards the House. The right hon. the master of the mint (Mr. W. Pole), was, he knew, indisposed some days ago. He was not aware if he had since recovered, but he was sure that he might say with confidence of that right hon. gentleman, as well as of the rest, that nothing could be further from his intention than to do any thing that might justly be deemed a slight and indignity to the House.

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* See king William's last speech to his parliament. New Parl. History, vol. 5, p. 1330.

Mr. *Brougham* was sorry to understand that so much illness prevailed among the members of his majesty's government. Were they really ill, or was their indisposition an indisposition to come down to the House? Perhaps they were sick of the property tax. He wished it might be so. Unquestionably there had been two or three hours of every evening for some days past in which the air of that House could not have been very salutary to persons in the state in which his majesty's government were; and no doubt their symptoms had been much aggravated by the numerous little speeches which had been made, even by those hon. gentlemen who had been most tenaciously their friends. If the influenza which raged on this subject did but spread, as he imagined it would, it might at last, perhaps, seize on the minds of his majesty's ministers themselves, and at length induce them to give up that of which the whole empire, from one extremity to the other, resounded with the reprobation.

Mr. *Lushington* informed the hon. and learned gentleman and the House, that his right hon. friend the chancellor of the exchequer had been so much indisposed for the last two days, that it was with some difficulty he had been able to attend. With reference to the hope of the hon. and learned gentleman, that what he called the influenza would extend to his majesty's ministers, he had only to say, that, under all the circumstances of the case, his right hon. friend continued to think the renewal of the property tax (reduced and modified as he had stated) the wisest and the most justifiable measure to which the country could have recourse. In that opinion he completely concurred, and whenever the subject should be brought forward, he was fully prepared to meet the hon. and learned gentleman, and to combat his arguments to the best of his humble ability.

Lord *Ebrington* said, that a report had that day reached him, from a distant part of the country, that the intention of ministers to abandon the property tax, was very prevalent. The letter which contained this statement, set forth, that the idea of the tax being abandoned, took its rise from a paragraph which had appeared in a newspaper remarkable for its support of ministers. He did not like the circulation of such rumours, which were set afloat for sinister purposes; ministers knew too well their duty to the Commons of England, not to state their intention of giving up the tax, if such an intention existed. But it appeared from the observation of the hon. gentleman who spoke last, that nothing was farther from their thoughts. He hoped, however, that the voice of the House of Commons would shortly compel them to give up this inquisitorial and oppressive measure. This mode of sending unfounded rumours abroad, was one of the many arts resorted to on the present occasion, to prevent the voice of the people, at public meetings, from being expressed in opposition to this tax.

Sir *John Owen* hoped, that the general expression of popular feeling against this tax, which was heard in every part of the country, would produce a proper effect on his majesty's ministers, and induce them to abandon the measure. The great body of the country was completely hostile to the tax, for the best possible reason—if it were renewed, they were quite unable to pay it. The agricultural distress throughout the country was most appalling, and in no part of the kingdom was it greater than in the county (Pembroke) which he had the honour to represent. If effectual relief were not granted, the nature of the people of this country would be changed—and, instead of a hardy and virtuous body of peasantry, the kingdom would be filled with paupers. He had seen numerous labourers who were ready to support their families by the exertions of honest industry, if they could get employment; but, being disappointed in that expectation, from the inability of the farmers to employ them, they were obliged to apply to their respective parishes for relief. A sort of threat had been held out, that, if the House did not agree to this tax, something worse would be proposed. The answer to this was, that, when the question came fairly before them, they would know how to dispose of it, as to them seemed fit. If a more oppressive measure were introduced, the same power which enabled them to defeat the property tax, would be sufficient to compel ministers to abandon any more burthensome tax, if such a tax could be devised. With respect to the sinking fund, he did not think that the appropriation of a part of it to the exigencies of the state, would be any breach of the public faith. He did not conceive, when the necessities of the country demanded a sacrifice, that the interest of the stockholder, or of any other particular body, should be opposed to the general benefit. He hoped that the opposition to this measure would be as successful as it was general. Ministers, before they determined to press it, should recollect, that what was termed firmness, if carried beyond a certain point, became obstinacy, and often led to the worst consequences.

Mr. *Finlay* rose to observe, that though he did not present any petition from Glasgow on the subject of the property tax, yet the inhabitants of that great city coincided with the general sense of the country at large. The tax, in his opinion, could be justified only on the grounds of the most urgent necessity; and therefore he did not conceive it necessary to inquire whether parliament was pledged to the country on the subject or not. The duty of parliament at all times was to provide for the necessities of the people; but it could not possibly be its duty to impose upon them a tax which, at the present time, would be unnecessary, unconstitutional, inquisitorial, and oppressive.

Mr. *Coke*, of Norfolk, stated, that he had recently seen a gentleman from Scotland, who informed him, that the population of that country were universally hostile to the renewal of the tax, and were most anxious to know, whether there was time sufficient for their petitions to come up, before the measure was introduced to parliament. He was firmly convinced, that, so long as this inquisitorial tax remained, there could be no British constitution. He had said this on the first day of the session, and he repeated it now. This mischievous, wicked, and immoral tax was utterly at variance with civil liberty.

Lord *Nugent* was extremely glad that the hon. gentleman opposite had stated the intention of ministers to press this tax, because that declaration would dispel a delusion, under which the people of England had been labouring for some weeks. That delusion was, the reported abandonment of the tax by ministers, which was calculated to prevent them from venting their feelings by petition. There would now, he hoped, be such a general and spirited manifestation of hostility to the tax, as would compel ministers to recede from their original intention.

Lord *Milton* rose to ask, on what day it was the intention of ministers to bring the subject regularly before the House?

Mr. *Lushington* answered, that it would be impossible to introduce it before Wednesday.

Mr. *Brougham* said, that he would oppose so early an introduction of the subject by every possible form of the House.

Mr. *Lushington*, in explanation, observed, that when he stated it as impossible to bring on a discussion of the subject before Wednesday, he did not mean to say that it would necessarily be introduced on that day.

Mr. *Holme Sumner* presented a petition from the parish of St. Mary Magdalen, Bermondsey, against the property tax. He expatiated on the loyalty of the petitioners who had borne this tax patiently during the war, while they considered it necessary for the defence of the country; though now, on the return of peace, they claimed to be released from what they considered an oppressive impost. While he stated this on the part of the petitioners, for himself, he felt it to be a duty which he owed to them, to the House, and to the country, to declare, it was his sincere and firm belief that no tax could be named by which so large a sum as that called for could be raised, which would be so little oppressive, so general and impartial in its operation, and so little expensive to the nation. Holding an opinion in this respect different from that of the petitioners, he nevertheless felt it to be his duty to present their petition.

Sir *James Mackintosh*, from the tone taken by the hon. gentleman who just sat down while speaking in favour of the property tax, would hardly have ventured to have opposed to the hon. member his opinion of it, if that opinion had not been supported by the concurring sentiments of others, whose authority he held to be almost as respectable as that of the hon. gentleman himself. In the first place, he was supported by the voices of a very considerable body of that hon. gentleman's own constituents; and, when he remembered what he had heard that night from an hon. gentleman who had experienced the difficulty of collecting this tax at Glasgow and its vicinity, he could not but think the enlightened inhabitants of that neighbourhood were as likely to be able to form a correct idea of this tax as even the hon. member for Surrey. It was consoling to him also to find the opinions he had formed of this tax supported by the most respectable persons in the landed and commercial interests of the country. Petitions against it were daily pouring in, and these, though from different parts of the country, all agreed in describing the tax to be the most unequal imposition ever designed by the ingenuity of man. The hon. gentleman did not consider this to be an oppressive tax. Sir James said he should be sorry to see this opinion receive the sanction of the House. He would ask, was it nothing like oppression to drag the tradesman before commissioners, to whom he was compelled to disclose his most secret affairs, and, having done so, to submit to the exercise of their inquisitorial authority, however unjust their decision, from which there was no appeal? This tax was most unequal in its operation, as the commissioners had it in their power to oppress one man and to spare another. He agreed with the hon. gentleman that this might be the least expensive tax in its collection. In every thing else he concurred with the voice of the country, in opposition to the hon. member for Surrey.

Mr. *Benjamin Shaw* was decidedly of opinion the tax could not be paid, and, that therefore it ought not to receive the support of the House.

Sir *William Curtis* presented petitions against the property tax from the wards of Tower and Langbourn. They were signed, he said, by a most respectable body of persons who had always displayed the utmost loyalty, and, during the whole of the war, had supported his majesty's government with the greatest cheerfulness; but now, feeling as men and as citizens, they naturally wished to be relieved from this most abominable tax, which Britons ought not to pay. Their petitions contained as strong expressions of abhorrence against it as any that he had heard; and they earnestly implored the House that it might not be renewed under any modifications whatever.

Mr. *Brougham* congratulated the ministers on their absence, when these petitions were presented. Had they been present, he was afraid their illness would have been a little aggravated. He could not, however, but hope, that their colleagues who were present would not refrain from administering to them the comfort which petitions strongly couched like these were calculated to afford. He hoped at least they would mention the subject to them.

Mr. *Lushington* said, he would take care to comply with the wish of the hon. and learned gentleman; and in doing this, he should not forget to communicate to them what had fallen from the hon. member for Surrey, whose sentiments he was happy to say met with his hearty concurrence.

Sir *James Shaw* presented a petition from Bridgeward against the property tax. It was signed, he said, by very numerous and respectable persons; and in presenting it to the House, he begged to observe, that, as far as his experience went, in every ward, and among all the inhabitants of London, there was but one sentiment on this subject. Every voice was raised in reprobation of this most odious, oppressive, and inquisitorial measure; they considered that parliament had pledged themselves not to continue it beyond the war; and that, as peace had now returned, it ought not to be renewed under any modifications.—Sir James also presented a similar petition, signed by a number of equally deserving and good men, resident in the ward of Vintry.

Mr. *Calcraft* presented a petition from the mayor and inhabitants of Rochester on the same subject. The petitioners were firmly of opinion, that if this tax were persevered in, public faith was at an end. It was difficult, indeed, for one who felt as strongly as he did upon the subject to express himself as he could wish. But he would refer them to the strongest epithets with which this tax had any where been branded, and they would then find sentiments pretty near those he held on the injustice of the measure. The battle of Waterloo was to have given repose to the feelings of this country. The conquest of Paris was to have consummated this happy era—and yet it seemed the victory was not decided, and that in that House the battle of the people was still to be fought. But if the country held firm it would be in vain to force this tax against its wishes. Without the people, the opposition to this impost might possibly fail—with them it must succeed. Let them, therefore, not relax in their efforts —let them persevere in sending forth their petitions against this odious measure. It was well for the gentlemen opposite that they had at length, found one member (Mr. Sumner) to express his approbation of this tax.

Mr. *Charles Calvert* presented a similar petition from the inhabitants of the parish of St. Olave, in the Borough. It was, he said, most numerously and respectably signed, and by a large class of persons, who had patiently borne the burthens of the war with a confidence in the ultimate integrity of their government. They now complained of ill faith, and he agreed with them, that on the 20th of February, last year, the chancellor of the exchequer had pledged himself to a discontinuance of the tax at the termination of the war. How had he fulfilled his pledge? Two questions had been put to his hon. friend opposite in the course of the evening, which had received a cautious and rather an evasive answer. One was—what was the principle on which the chancellor of the exchequer meant to introduce the question of the property-tax? To which the answer was—that the forms of the House would not allow him to bring forward the measure before Wednesday next. The second question was—whether he had abandoned the measure? To this the answer was—that the chancellor of the exchequer believed it to be a wise and just measure. Now he would like to have a more distinct answer on both these points.

Mr. *Lushington* said, the question proposed to him was, first, at what time this measure was intended to be brought forward, and his answer had been, that in the absence of his right hon. friend, he could only say, that it could not be brought forward sooner than Wednesday, and, indeed, unless the army estimates were gone through on Monday, and reported on Tuesday, it could not be brought before the House even on Wednesday. With respect to the second question, he had said, and he now repeated, that it was not the intention of his Majesty's ministers to abandon this tax. They were convinced it was a just and a wise measure, a measure which would affect the rich, but not press upon the poor; it would reach affluence in the hands of avarice, and, to make use of an observation he had seen expressed before, "it reached those who lived like beggars, and made them pay like gentlemen."

Sir *Gilbert Heathcote* was satisfied, that if the war had continued, the people would have paid the tax. When they fairly exercised their judgment, they generally took a right view of the case, and at once judged, that when peace was attained, an establishment formed to meet a state of danger ought not to continue. Such was the opinion of the nation, and he hoped it would be successful.

Lord *Palmerston* protested against the inference, that because a certain expense had been called for to meet the exigencies of war, it followed that this expense should at once cease on the arrival of peace.

Mr. *Forbes* was persuaded that if returns were made of the amount paid by persons, assessed for an income under 300*l.* a-year, it would be found, that so far from the tax falling in a greater general proportion on the rich, it would be found to press much more heavily on the middling classes, who, in his opinion, contributed the larger amount of the two.

Sir *Egerton Brydges* was sorry to be obliged to state an opinion in opposition to that of so many of his friends; but he should be guilty of a dereliction of his duty if he did not say that he thought the property tax a most efficient and unobjectionable tax. The objections that had been urged arose from the subject not having been considered in a proper view. From his knowledge of political economy, and from the consideration he had given the subject, he felt confident that by no other tax could money be raised with such certainty, impartiality, and so little expense to the public. The tax too, by assuring a supply to the public creditor, was a most efficient mode of supporting the credit and raising the value of the funds—he could not therefore join in the general prepossession that existed against the tax. If he were intrusted by his constituents, he should not refuse to deliver their sentiments, but hitherto he had received no applications on the subject, and the few with whom he had conversed, agreed with him in opinion; but be that as it might, he owed it as a duty to himself, however painful that duty might be, to stem the tide of public opinion in this instance; he knew how much he must suffer in point of popularity, but he could never be induced to forego an opinion he had deliberately formed, by any hope of applause in which he could not himself be a party.

Mr. *Brougham* observed, that whatever might have been the disposition of the hon. baronet's constituents at the time the hon. baronet communicated with them, he felt pretty certain that disposition would not continue; for he knew, from good authority, that the inhabitants of Maidstone were about to frame a petition against the tax; he thought, therefore, that the hon. baronet could never have conversed with his constituents on the subject; and when the petition came, he would be placed in the unhappy situation of arguing against the tax and voting for it.

Sir *E. Brydges*, in explanation, said, he had not stated what was the opinion of all his constituents, but of those with whom he had conversed.

Mr. *Finlay* in reply to the argument that the tax affected the rich and avaricious, who would otherwise contribute nothing to the exigencies of the state, observed, that the amount levied from such persons could not, from their paucity, bear any comparison with that which was extorted from those who had little to pay.

Mr. *Lushington* said, that from his own knowledge he could state the case to be quite the reverse. He took also this opportunity to mention, that with respect to the modifications intended, a very great relief would be afforded to the agricultural interest.

Mr. *Forbes* hoped, if the measure passed, which he could not possibly believe, that the half-pay of the army and navy, and the pensions to the widows and children of officers, would be exempted from any part of the tax.

Mr. *Charles Calvert* was convinced that the hon. baronet who said that his constituents were friendly to this measure, could never have conversed with them on the subject: he considered the tax as a most unjust impost, and he was happy to hear from a member of his majesty's administration, that some modifications at least were in contemplation.

Mr. J. Pitt presented a petition against the property tax from the borough of Malmsbury.

Mr. *R. Gordon* was glad the petition was presented, because he believed it to be the first that ever came from Malmsbury. He called the attention of the House to that part of it which complained of places and pensions. He wished to take that opportunity of saying a word more on the subject of the property tax, because he thought it would be the last, as the tax, he was convinced, would be abandoned. It had been said, it was useless to impose the tax, because it could not be collected. Now, in confirmation of this, in the neighbourhood from which the petition was sent, so far from the inhabitants being able to pay the tax, if levied, the last half year had not yet been discharged. In one parish, assessed at the rate of 700*l.* a year, not one shilling had been collected. It was, therefore, ludicrous to propose a continuance of such a measure.

Mr. *Philips* differed from the hon. gentleman in his supposition that ministers would abandon this tax. He felt persuaded that they intended to persevere, and he proclaimed this, that the country might not be lulled into a cessation of their opposition to the measure.

Sir T. Acland presented petitions against the tax from the parish of Woodleigh, and the hundred of Rowborough, in Devonshire.

Mr. *Babington* made some observations on the manner in which the poor-laws contributed to the general distress of the country. He stated, that the farmers being unable to employ the same number of labourers as formerly, they who were out of employ must, however willing to work, be subsisted almost wholly by the poor-rates; and the farmers, in order to assign a reason for paying lower rents, endeavoured to support their labourers by low wages and high poor-rates; so that the industrious part of the community were driven to dependence upon the overseer, and obliged to receive that as a boon, in the shape of parish relief, which they had a right to claim as the reward of their labour. By these means, too, the landlord was a sufferer, inasmuch as his rent must be lowered in proportion to the rise of the poor-rates; and that feeling of regard and claim of sympathy, which ought to subsist between the farmer and his labourers, was turned into oppression on the one hand, and disgust on the other. He did not impute these evils entirely to the property-tax, but that measure had a share in increasing them; for when the farmer's capital was diminished by taxation, he could employ fewer labourers, while he would endeavour to pay those whom he did employ, as far as possible, by poor-rates, to which all must contribute, rather than by wages which he himself must afford; and they who were unemployed must be supported wholly by the parish.

Mr. *Brougham* was highly satisfied at the clear statement which had been made by the hon. gentleman, inasmuch as it afforded a complete answer to that futile and base appeal which had been made to the poor against the rich—that attempt to gain the support of the mob, by saying that the tax affected only the rich and avaricious. After the statement made by the hon. gentleman, nothing could be more futile than to say, that a tax which affected the rich did not equally affect the poor; if the rich were deprived of their capital, the poor must in proportion be deprived of their employment, and consequently of the means of subsistence.

The several petitions were ordered to lie on the table.

Civil List.] Mr. *Brougham* thought it was extremely necessary, that an account of the application of the large sum of money voted, in the last session, for discharging the arrears of the civil list, should be laid before the House. Gentlemen on that side of the House had been taunted for being in what was termed "an economical mood." The country, he believed, was in an economical mood; and as the House and the nation fully participated in that feeling, he was anxious to discover whether the same mood was to be found in higher quarters. If so, he should like to see whether the sum voted last session, had been applied in the way which parliament intended it should. He did not mean to say, that it had not been so applied; but, so long as he felt the smallest doubt on the subject, he would endeavour to have that doubt removed. The country at large ought to be acquainted with the detailed application of the very great sum of money voted to defray the arrears of the civil list in the last session. He should therefore move, "That an humble Address be presented to the Prince Regent, that he will be pleased to direct, that there be laid before the House an account of the application of the sum voted last session, for discharging the arrears of the civil list."

Lord *Palmerston* said, as the hon. and learned gentleman had alluded to an expression made use of by him on a former occasion, he wished to say a few words in explanation. When he used the expression, he did not mean to insinuate, that this was not a time when an economical arrangement ought to be set on foot, in every department of government. His observation applied to what appeared to him to be an overstrained attempt at economy, particularly with reference to our military establishment. The reductions recommended by gentlemen opposite did not, in his view of the subject, proceed on a rightly-understood principle of economy, but went to lower, in a degree that would be prejudicial to the country, that establishment which the security of the nation demanded.

Mr. *Tierney* expressed his hope, that, if the document moved for, was granted, it would be so drawn up as to specify every single item, to the discharge of which the vote of parliament was appropriated.

Mr. *Brougham* said, that it was important to know whether the tradesmen's bills, for the payment of which this money was voted, had, in fact, been discharged; or, in other words, whether the real purpose for which it was intended had been kept in view. He trusted that the result of an inquiry would show, that none of the bills in question were left unpaid.

Mr. *Tierney* said, that if it was not satisfactorily shown to him that the money had been applied as parliament intended it should, he would move for an examination at the bar of certain witnesses, who could, perhaps, throw a light upon the subject.

Sir *W. Congreve* said, that the money collected during the park fêtes had been transmitted to the bank of England, where it lay, awaiting the distribution of the commander-in-chief of the forces, and the first lord of the admiralty, who were to devote it to some charitable purposes connected with the army and navy. The sum did not amount to more than 9,000*l.*

Mr. *Tierney* said, that this was not the sum to which he referred. He had no intention of inquiring into the receipts of the triumph in the parks, nor into the circumstances of that celebrated ovation. He merely sought information as to the distribution of some parts of the general sum of 530,000*l.*, which had been voted for the civil list.

The motion was agreed to.

HOUSE OF COMMONS.

Monday, March 4.

PETITIONS AGAINST THE PROPERTY-TAX.] Petitions against the Property-tax were presented from Monmouth, Litchfield, Macclesfield, Bridgwater, High Wycombe, Belford, Southmolton, Calne, Wigtown, St. George the Martyr in the borough of Southwark, the Ward of Dowgate in the city of London, Lambeth, Huntingdon, Norman-Cross, Mile-End Old Town, St. Luke Chelsea, Woolwich, Somerset, Wokingham, Lime-street Ward London, Tewkesbury, Chester, Beverly, Maiden-Bradley, Yarum, Guisborough, Leeds, and Congleton.

Mr. *Abercrombie*, on presenting the petition from Calne, said, that the signatures to the petition would have been much more numerous if his constituents were not afraid of being too late in consequence of the great anxiety which ministers had evinced to press the tax forward at the present early period. The petitioners stated, in very strong terms, the oppressive severity with which the tax bore on them, and implored the House not to consent to its continuance. They also complained of the immense standing army intended to be kept up, which they considered as one of the great causes of the present enormous load of taxes.

Mr. *Grenfell*, adverting to the complaints which had been made against the present mode of collecting the property-tax, took upon himself to say, that the greatest tyranny of which we had to complain, was not that arising out of the inquisitorial powers given to the commissioners of the property tax, as this was exceeded by the conduct of the board of taxes at Somerset-house. He gave notice, that it was his intention to move that night, unless it was objected to by ministers, on the ground of his having given no previous notice, for copies of the correspondence which had taken place between that board and an eminent mercantile house in the city, which he thought would be found to justify the assertion he had made.

Mr. *C. Calvert*, in presenting the petition from the inhabitants of the parish of St. George the Martyr in Southwark, praying for the abolition of the property-tax, observed, that the meeting at which that petition was prepared, was most numerous and respectable, and that the signatures to it were upwards of one thousand, though it had not been very long open. He regretted that he did not see any of his majesty's ministers in their places, that they might hear the sentiments of the respectable meeting which had agreed to this petition, on the subject of the tax, but as he had another to present from the ward of Dowgate, he hoped some of them would arrive, time enough to hear it.—The petition being read and ordered to lie on the table, the hon. member then presented a petition from the inhabitants of the ward of Dowgate, against the tax. He declared himself much flattered by having the honour of laying it before the House, as it was usual for petitions from the different wards of the metropolis, to be presented by some one of the city members. The petition was signed by every individual of the ward from which it came, except one.

Mr. *Barclay* presented a petition from the inhabitants of the parish of Lambeth. This, he observed, like the two preceding petitions which had been presented by his hon. colleague, was signed by very respectable persons, most of whom were particularly favourable to the present ministers.

Sir *E. Knatchbull*, in presenting the petition from Woolwich, directed the attention of ministers to the language of the petitioners, and called upon them to answer it. The petitioners described themselves to have borne with patience the burthen of the property-tax during the war, relying on the pledge which had been given to them, that they should be relieved from it so soon as peace returned. To this they stated the government to have been positively pledged. The present was the first opportunity he had had in this session of addressing the House on the subject, and he was now free to confess, that unless government intended the tax should be very much modified, he should feel it his duty to oppose the renewal of it; but at the same time he wished to be distinctly understood to give no opinion, for or against it, at present. He should be glad to hear what the chancellor of the exchequer would have to state to the House on Wednesday. Till he was in possession of this, he could not make up his mind on the subject. A requisition for a county meeting on the grievances complained of under the present tithe laws had been already signed; and a second had been prepared, calling for a meeting to consider of petitioning parliament against the renewal of the property tax. He would not anticipate the result of the proceedings on this question, but under all circumstances, he was inclined to hope the chancellor of the exchequer would abandon his present plan.

The *Chancellor of the Exchequer* thought the hon. baronet did himself and his constituents great honour, by the course which he had thought it his duty to take on the present occasion, in declining to give an opinion for or against the proposed measure, till the grounds on which it was brought forward had been fully stated to the House. He was quite ready to declare to the hon. baronet, that the petitioners, with respect to the supposed pledge, which it was said had been given, were completely misinformed. On the first introduction of the income tax, by Mr. Pitt, instead of a pledge being given that it should cease at the conclusion of the war, its produce was actually mortgaged at that time for 56,000,000*l*., a sum which it would have taken eight years to pay off. From this it was clear, that Mr. Pitt had not then pledged the House to do away that tax immediately on the return of peace. When, on the renewal of the war, a tax upon income was again thought necessary, it was no longer had recourse to as a fund on which money might be borrowed, but as the means for meeting the necessary supplies of the year. When granted during the continuance of the war, " and no longer," no pledge was given that ministers should be precluded from availing themselves of such an impost on the return of peace: they were only bound by those words, again to submit the policy of taking such a course to the consideration of the House. In 1806, when it was raised in its amount, the chancellor of the exchequer and the ministers of that day, had given no pledge, that they would never, on any subsequent occasion, but in time of war, have recourse to such a measure. This they must have meant to leave open to the future consideration of parliament, on the presumption that there it would be disposed of, according to the circumstances which might arise. Having thus briefly adverted to what had been done by his predecessors in office, he now came to speak of the course which he himself had pursued. In the last year he had come down to the House on the 20th of February, and offered a general statement of the ways and means by which it had occurred to him to provide for the service of the year; and among these the property tax was not included. He had done this, not because he thought that to propose a renewal of that tax would be a breach of good faith, as he conceived that a question which was open to consideration at any time, but because he thought it objectionable in policy at that period. The circumstances of the present day were widely different from those of the country then. He had at the time to which he referred suggested other taxes, some of which had afterwards been adopted by parliament, and had been mortgaged for a term of years as a part of the provision for the loan of the year. Among the other taxes then proposed was a large addition to the assessed taxes, and certainly he had heard it made a question by many, whether this would not be more burthensome and severe on the public than the property tax, while at the same time its produce would not exceed half the amount of the sum raised by that impost. It was on these considerations that he had determined on submitting the renewal of the property tax to the House. Before he sat down he thought it right to say, that the very important business about to come on, namely, the army estimates, together with the motion of the hon. gentleman opposite (Mr. Western), would, he apprehended, be quite as much as the House could go through in the present week, with regard to the convenience or the health of its members, and he should therefore postpone his motion on the subject of the property tax, till Monday next.

Mr. *Ponsonby* observed that the right hon. gentleman who had just sat down had declared that the faith of parliament was not pledged to the abolition of the property tax at the end of the war; but it was most certain the understanding of the House and the country on the subject were directly opposite to the assertion. If ever there was any one thing more clearly and distinctly understood than another, it was the wording of the act of parliament, which said that the tax would expire on the 5th of April, in the present year, if a definitive treaty of peace had been signed before then. How was it possible that any thing could be more explicit or more clear than this was? But in the face of the country, with the words of the act so very plain, the chancellor of the exchequer still said that the House was not pledged. Did the right hon. gentleman mean to say that no pledge existed because a clause had not been inserted in the act stating that no such pledge had been given? Such a clause would have been unnecessary, for the act had been too clear on the subject. The right hon. gentleman had talked of the assessed taxes and the great pressure which they would have on the country. He had threatened the House with the torture of those taxes if they refused their assent to the property tax, and seemed to say, if you won't have the one, you must bear the other. He, however, would answer him thus, neither the House nor the country would have either. The one or the other was too much. Either could only be necessary to keep up an expenditure which the country did not require. It was because the immense height to which the expenses of the state had been carried would not be relinquished while such large supplies were granted, that he would object to either of the taxes which the right hon. gentleman had proposed. The hon. baronet who had presented the petition had been complimented by the chancellor of the exchequer, for the manly and independent manner in which he had expressed himself. He agreed to this compliment, and he hoped that as the chancellor of the exchequer had so great a value for the opinion of the hon. baronet, he would take the advice which he had given him, and give up the tax altogether.

Mr. *Fremantle* said, that the chancellor of the exchequer in stating his reasons for not having proposed the property tax last year, should have gone a little farther than he did; he should have recollected, that besides his declaration at that time, that he did not conceive the House pledged to abolish the tax; he had mentioned that it was not proposed because the nation was at peace, and because he did not conceive himself justified in proposing it at the termination of hostilities. It was in this sense that the abolition of the tax was understood throughout the country at that period. It was in this sense they continued still to understand it. The people conceived that the tax had been abolished because the war was at an end, and they now conceived that it should be abolished for the same reason. It was for this reason that he would oppose the tax. He conceived it not only a tax imposed against the consent of the whole nation, but a tax by which the faith of parliament would be considered by the people as violated. He called on the right hon. gentleman to give up this tax, against which such a just outcry had been raised. If he carried it he might have cause to regret it to the latest period of his life, as it was a measure against which it was evident he saw the general feeling of the country raised.

Mr. *Dickenson* presented a petition from the county of Somerset, against the property tax, complaining of the great distress of the agricultural interests, and lamenting the failure of the performance of that promise of economy which had been made by the Prince Regent at the opening of the session. The hon. gentleman in presenting this petition, took occasion to advert to the incredible state of distress to which the agricultural interests throughout the country had been reduced. He observed, that many farms were totally abandoned to their original owners, who, from want of capital, were unable to cultivate them; others were daily abandoned, and no new tenants could be obtained. As for leases which had hitherto been considered as the best security of the tenant, there was no such thing now in use; and farms, when they could be let, and these were only such as were in the very best condition, were let from year to year. The evil did not rest here, however, for the distresses were so oppressive, that they actually had the effect of demoralizing the people, by inducing them to make over their stock to poor relations, with the view to defraud their landlords. Added to this, scarce a day passed that the French ambassador did not grant fifty passports to persons going to France, forty-five at least of whom were English emigrants flying from the weight of taxation at home. To bring these persons back, it was only necessary to look the situation of the country fairly in the face, and to adopt such remedies as prudence and a due regard to the faith of parliament would naturally suggest.

Sir *M. W. Ridley* intreated the chancellor of the exchequer to act upon the hints given by these petitioners, and to endeavour to do without the property tax, by diminishing the taxation, and the expenditure of the country. A leading feature in the speech of the Prince Regent was, the recommendation of economy which appeared in it. If they looked at the conduct of the government, there was little reason to believe them sincere in the declaration to which he had referred. They had now on the table of the House the accounts of the recent increase of the salaries of the persons in various public offices. Why was this increase made at a period like the present? Was it to encourage a disposition to extravagance, and to establish the necessity of renewing the property tax? If he recollected right, the property tax had been abandoned last year on account of the return of peace. When Buonaparté had again made his appearance in France, the right hon. gentleman had called for the renewal of the tax on account of the war then about to commence. It was thus that it had been again brought into operation. There was nothing to justify its continuance now, and he hoped it would not be pressed on the House and on the country.

Mr. *Gore Langton* supported the petition presented by his worthy colleague, as it spoke the universal sentiments of the country against this obnoxious tax, of which the object was, to keep up an unconstitutional army in time of profound peace. Surely, after the unexampled patience with which the people had borne the weight of accumulated taxation, they had a right to expect the diminution of their burthens, and of all useless expenditure; above all, an emancipation from this tax, which he had always thought contrary to the nature and habits of Englishmen, and tending to undermine their native sentiments of independence. If ministers persevered further in the attempt to fasten on the shoulders of a free people this odious and desperate tax, he trusted that a majority of that House would support the sentiments of the whole country. He wished this petition to be read by the clerk with a distinct and audible voice, that it might not be lost on ministers, who, alone, seemed to be ignorant of the general feeling of the country on this important question.

Mr. *Methuen* said, that as he had seconded the address presented to his royal highness the Prince Regent, thanking him for his most gracious speech, he felt himself peculiarly called upon, on the present occasion, to offer a few observations to the House. He would now remind his majesty's ministers, with what feelings of delight the people had received, from the speech of his royal highness, an assurance, that every regard should be paid to the strictest economy in all departments of the state. He participated in those feelings, and as he felt in some measure pledged to the fulfilment of that assurance, he for one conceived himself called on to speak out, finding as he did that the noble lord and his majesty's government seemed to have forgotten so solemn an undertaking. Had he the good fortune to be one of the constitutional advisers of the Crown, he would go boldly forward and say, "The pledge which your royal highness has given to the people must be fulfilled. There must be no more excesses in the civil list. We must have no more useless and fanciful expenses, whether in the shape of thatched cottages, pagodas, pavilions, or palaces. Even those sums which are to be received from France as a compensation, in lieu of territorial cession, must be applied to the service of the country. It is in fact, already the property of the people, and is constitutionally placed in the hands of parliament, to be applied by them as they may think fit. You must also add practice to theory, for by this you can only bring your system to perfection. You must keep your faith with the people by abstaining from an extravagance which inexperience cannot palliate, and which poverty cannot justify." This was the language which, as an honest adviser, he would hold, but he felt a perfect confidence, that unless such advice was given and taken, and that the proposed military establishment was abandoned, there would be an end of the prosperity of the nation. If ministers lent a deaf ear to these suggestions, public spirit was yet alive within these walls, and he trusted would force them to take a course which their own perverted judgment would lead them to treat with indifference. He would add one word more before he sat down. An impression had gone abroad, and some of the public papers had given sanction to that impression, by publishing a list of those who had voted in favour of the committee on the military establishment, that those who had voted for the committee were in favour of the establishment proposed by ministers, without alteration. He for one had voted for the committee, but he was by no means favourable to the plan proposed by the noble lord at the head of the war department. He had voted for the committee, because it was in the committee alone that the House could object to each item separately. If he had voted against the committee, he should have felt that he was voting against any military establishment whatever.

Mr. *Lambton* thought the sentiments of the hon. gentleman who spoke last did him infinite honour. He congratulated the House and the country on the general feeling called forth on this occasion, while he condoled with ministers on their long and painful indisposition, which, however, was not surprising, when it was considered how many severe attacks they had been compelled to sustain. He would recommend that to them which they had tried so long on the people of this country—profuse bleeding. Whether the lancet or the leech would do best for this purpose he did not know: but possibly they would be able to obtain satisfactory information on this point from some of the commissioners of this very tax. In another and a better cause he should much admire the devoted constancy with which the hon. member for Surrey and other gentlemen, had stood by their ministerial friends in the present instance; he did not, however, think their conduct would gain them much glory. The time was now come when economy became absolutely necessary. The landholders must now make a stand, when the landlord could get no rent, the tenant no profit, and the poor no work. Those he had first mentioned, were for the present compelled to live on their capital, and the last had no resource. Yet it was said, the poor were not affected by the property tax. If it pressed thus heavy on those on whom they were dependent, how were they to live? If they were turned out of employ, what was to save them from starving. It had been observed on a former evening, that old men used to be employed in repairing the roads. This was no longer the case. The young and the active were now constrained to do what was formerly left for the aged and infirm. What, then, had been gained by the peace? The noble lord opposite had gained a blue ribbon—the country, nothing.

Mr. *Lyttelton* expressed his surprise at the new attempt that had been made to prove that the faith of parliament had not been pledged upon the subject of the property tax. The people had unquestionably been deluded in this respect, for though in words no such undertaking might have been entered into, the understanding was universal in the country. He called upon the chancellor of the exchequer to give some further and more satisfactory information upon this point.

Lord Milton presented petitions against the property tax from Guisborough and Leeds.

Lord *Lascelles* said, he understood from a letter which he had received, that the mayor of Leeds did not preside at the meeting at which the petition was agreed to, and that the aldermen, and a great proportion of the most respectable merchants and manufacturers had also not been present at the meeting. With respect to the main part of the petition, the property tax, he wished to express that he had no opinion to deliver now on the subject. At all events it would be absolutely necessary to reduce and modify the tax on the tenants, and also to make a reduction in the case of proprietors, who, though their rents were not reduced, could not, from the distressed state of their tenants, recover those rents from them. In the difficulties under which the country at present laboured, it might be impossible to levy taxes which would not be hurtful in more flourishing times. With respect to the distresses of the agricultural interest, he owned he could not see that there was any great hope of a remedy from the House. After the long war in which the country had been engaged with the approbation of that House, the burthens of the country had been augmented to such a degree, as to bear with the utmost severity on the domestic industry of the country, and particularly the agricultural. But the distresses of the farmers were heightened by other circumstances; he alluded in part to the failure of the country banks. This failure was attended with a diminished circulation, and greater caution on the part of the banks, which still remained. It would puzzle any man to suggest any remedy in these distresses but one, namely from the highest, to the lowest department in the state to introduce as much saving as possible, with the view of reducing the amount of taxation. He thought, however, this matter had not been fairly handled in the discussions in the House. A great part of the charges were the necessary result of our long war, and ought to be deducted in any permanent view of our establishments. Still, however, with regard to the agricultural interest, nothing but a reduction of taxation would bring things to a level. If this reduction should not be seriously set about, he considered the conduct of ministers would be highly blameable, and he should be one of the first to raise his voice against them. He had taken this opportunity of throwing out two or three general observations, because as he did not feel himself in such a state of health as to allow him to be present at the debates which would take place on this subject, and which were likely to be very late, it was the only occasion on which he could deliver his sentiments.

Mr. *Wynn* said, the agricultural and mercantile interests were connected in prosperity or misfortune, by bonds so close and indissoluble, that there was no possibility of affording relief to one without extending it to the other; and, in fact, the only measure which could give relief to either branch of the community, was a relaxation of taxation, and to this end a severe scrutiny was necessary into every department of the public expenditure. But he differed from the noble lord who spoke last, who supposed that of their own accord the ministers would fulfil the wishes and expectations of the public. True it was they had held out a promise of economy in the speech from the throne, but not one department which had been created in consequence of the war had yet been reduced. The war department continued to exist, and every other department of the same nature, the estimates before the House, the staff, the military colleges, and other necessary establishments, gave proofs of a disposition to keep up a rate of expenditure which the country could not bear with.

Mr. *Ponsonby* said, that as it was probable they should not have the benefit of the noble lord's presence, at the time of the discussion on the property tax, it was material the House should understand the nature of the noble lord's objections to the tax. He objected to the part which affected tenants, because they were now unable to pay it—to that which affected a large class of landlords, because it was unjust to tax them as receiving rents which they did not in fact receive—to that which affected commercial persons, because to compel a disclosure of their affairs, at a time of distress and embarrassment, was peculiarly oppressive and injurious. What class of men, then, remained to pay the tax, if these classes were exempted? Or what was to be said of ministers who would press a tax so oppressive to all classes of the community?

Lord *Milton* wished to explain as to the nature of the meeting at which the petition which he held was agreed upon. Though the mayor was not present, it was legally convened by him, and, though the aldermen were not present, a magistrate of the West Riding of York, a man of course of no small account in the town, presided. No objection whatever was made to the petition, and the sole reason why the signatures were not more numerous was, the short time it remained in Leeds after it was drawn up. He had no doubt the House would pay as much attention to the prayer of a public meeting, as to any letter the noble lord (Lascelles) might have in his pocket.

The several petitions were ordered to lie on the table.

PETITION FROM LEOMINSTER RESPECTING THE MILITARY CLUB.] Colonel *Foley* presented a petition from Leominster, in Herefordshire. The petitioners, he said, expressed their humble hope, that the honourable House would not deem them guilty of ignorant impatience [A laugh, and Hear, hear!], if, after having borne heavy impositions during a protracted war, they now entreated that they might be relieved from the oppressive property tax in time of peace. Amongst other subjects of alarm to which the petitioners had taken the liberty of calling the attention of the House, there was one in which, he trusted, they would be followed by every part of the kingdom, he meant the establishment of a great club, exclusively military, in the metropolis, at the head of which was the commander in chief. They expressed a hope that the House of Commons, with due jealousy, would not fail to watch the proceedings of such a formidable body, the effect of which would be to separate the military establishment from the other classes of the community—a distinction inconsistent with the true principles of the British constitution. In this opinion the hon. member said he heartily concurred, as well as in what had fallen on a former night from a noble lord (Folkestone), who had so ably dilated upon the subject of the growing evil of military influence and domination.

The petition was then read, setting forth,

"That the petitioners hope that the House will not consider them as ignorantly impatient of the burthens of taxation, when they respectfully solicit the House not to sanction by their votes the alarming attempt of his majesty's ministers to engraft on the free constitution of this country, a formidable standing army at the enormous annual expense of 21 millions, including the whole proposed peace establishment; that the petitioners have heard, with the deepest regret, of the formation in the metropolis of a military club, under the sanction, and with the approbation, of the present commander in chief of his majesty's forces; that the petitioners humbly hope that the House will watch over, with a true constitutional jealousy, the proceedings of such a formidable military body, which appear to the petitioners to be too well calculated to render the military power of the country a body too distinct from the people, and consequently inconsistent with the true principles of a free government."

Sir *Charles Monck* said, that as the petition did not seem to awaken the attention of the other side of the House, he should make a few remarks upon the principal topic to which it referred. He begged to be informed whether his majesty's ministers could point out any other club that had either existed, or was now in being, from which all persons were excluded but those of a particular profession? He was not aware of the formation of any such society, and it appeared to him that this military club was a part of the same system that had led to the institution of an order of knighthood confined almost exclusively to the military profession, and from which the great mass of the people were excluded. The consequence of both was the same—a consequence that might be fatal to our constitution, namely, the separation of the soldiery from the great body of the nation.

Mr. *Gooch* thought the attack made in the petition, and followed up by the hon. baronet illiberal and most undeserved by the respectable gentlemen who formed the military club. He had never heard of any case in which less ground for complaint had been laid; and, looking back to the glorious achievements of our army, to the many hard-fought battles in which they had been engaged for the defence of the liberties and independence of this country, he put it to the House, whether it was just to hold them up to the world in the odious light of oppressors of a free people, and subverters of the happy constitution of Great Britain?

Mr. *Wynn* protested in the strongest manner against the mode in which the hon. gentleman who spoke last had treated this subject, which, if permitted, would effectually annihilate all freedom of debate, and destroy the control of parliament over the various political institutions now subject to its inspection. If the House, on all questions, were to be called upon to discuss the characters of particular individuals, and to lay their merits in the balance, to what extent might not the evil be carried? In any debate, whether it were proper or inexpedient to place certain powers in the hands of ministers; whether they were to be allowed to direct, without responsibility, the pecuniary expenditure of the kingdom; or whether parliament were bound to exercise its superintendence, and to scrutinize minutely the public disbursements, it would be very easy for some of their friends to start up, as the hon. member had done, and to enumerate a number of most extraordinary benefits he imagined they had conferred upon the country; to declare that they possessed his most unbounded confidence, and that it was impossible to entertain jealousy lest such a set of excellent and immaculate men should abuse any power, however unlimited, that was intrusted to their hands. Such an argument might be applied to every case. With respect to the members of this military club, he participated in all that could be urged as to the respectability of the individuals of which it was composed, and the eminent services they had rendered to their country; but looking at them as a distinct military class, forming a body from which persons in civil capacities were excluded, he could not but consider them constitutionally dangerous. It would be said in reply, that the object was merely social, and that by a resolution the discussion of all political topics was prohibited; but what could prevent those, who deemed this regulation unnecessary or inconvenient, from taking advantage of a favourable opportunity, when the persons who supported it were absent, and rescinding this order. The same authority that made it could unmake it; and it was not to be supposed that this society would come to parliament for a formal confirmation of their bye-laws. The resolution, therefore, was mere waste paper; and if he wished to constitute a society for future mischievous purposes, he thought he could not proceed more advantageously than by holding out, in the first instance, that particular subjects would be excluded from discussion. As soon as a sufficient number of individuals had been thus tempted to join, this wholesome regulation might be rescinded, and all the ultimate and dangerous objects effectually accomplished. The great objection against the establishment of this exclusive society was the additional influence it would give to the Crown, and the power such a combination of persons, who looked up to the Crown for support and advancement, could not fail to afford. It was one of the misfortunes of the present times, that the military, paid and maintained by the votes of parliament, were taught to regard the Crown only as the source of honour and emolument. The measure proposed, not long since, to increase the pay of general officers, had the same tendency; for there an order in council was first issued declaring the fact, and afterwards parliament was called upon to make good the promise that had been given by the sovereign. Had the precedent of 1798 been followed in this transaction? Certainly not; for in that instance the sanction of parliament was required before any undertaking had been given by the executive authorities. It might be argued, that the difference was immaterial and trifling; but it would occur to all, that a House of Commons of less virtue than the present, on a future occasion, when the military power had made still further encroachments, might consider it an undertaking somewhat awful and hazardous to refuse to consent to an augmentation of pay that had been previously allowed by the reigning monarch. He hoped that parliament would not again be induced to give its consent under such circumstances; and, with reference to the immediate point before the House, he begged to protest once more against the introduction of the weight of personal character in questions of constitutional importance—[Hear, hear!].

Lord *Palmerston* rose to correct a mistake into which the hon. gentleman who spoke last had fallen, and which had surprised him a good deal, considering his great knowledge in constitutional precedents. The hon. gentleman had said, that the last increase of pay to general officers had first been made by an order in council, and that afterwards parliament had been called upon to acquiesce. Surely the hon. gentleman must know that it was not possible for any regulation as to the army, to be made by an order in council. With respect to the navy, indeed, the case was somewhat different, and there were instances of regulations affecting that branch of the service having been made, by orders from the privy council. What the hon. gentleman probably meant to state, was this, that some regulation had been made for increasing the pay of officers, before the consent of parliament was obtained. Now for himself he could only state, that during the time that he had filled the office which he now had the honour of occupying, no such thing had taken place; and he should have thought that he was transgressing his duty if he had made any communication to the army of an increase of pay until the measure was submitted to parliament, and its consent obtained. This had been done in 1814, when the last increase of pay had been made to general officers. On that occasion he had himself brought down the estimates, and laid them on the table, preparatory to opening the proposed measure to the House. As soon as parliament had voted the necessary sum, and not before, a circular was sent from his office. The object was merely to put the generals of the army upon the same footing, in point of pay, as the flag officers of the navy.

Mr. *Wynn* said, it was possible he might be mistaken in the instance he had referred to; but he could state another case, in which he was certain that an increase of pay was given, without any application being made to that House. He alluded to the increase of pay granted to serjeants, which took place during the recess of parliament; and which was promulgated by an order in council. The sum was undoubtedly smaller than that granted to general officers, but the principle was precisely the same.

Lord *Palmerston* said, the increase of the pay of serjeants was very trifling indeed. After the order in council, it was made known to parliament, and the measure could not be supposed to be confirmed, until it had received parliamentary sanction.

Colonel *Wood* said, that he was a member of the unfortunate club that had attracted so much notice. It was, in fact, nothing more than a private association for the purposes of friendship and conviviality; and if the House would attend for a few moments to the nature of its composition, it would find that it merited no part of the suspicion that some gentlemen had expressed. Some gross misrepresentations had gone abroad upon this subject, calculated to mislead, and to excite idle alarm. It was undoubtedly true, that a great number of military men were members of the club; but it was no less true, that there were also a number of naval members. A union, indeed, had recently taken place, and it was in contemplation to adopt measures to render the proportions of the two professions as equal as possible. It also consisted of a considerable number of individuals who had been officers of the East India Company, but who, having realized property abroad, had returned to England, and retired upon their fortunes. Besides these, the list of members included some persons not in general deemed very dangerous to the constitution, namely, officers of the militia. No less than thirty-six colonels of militia had joined the club, and in so doing they might be great offenders; but such was the fact. If they were guilty, some of the lords lieutenants of counties were in the same unfortunate predicament; yet surely they were not men who were likely to contaminate an association. The hon. baronet had said, that he was not aware of the previous existence of any other clubs, composed of men of one profession, from which all others were excluded; but the truth was, that no less than four naval clubs, composed of about 2,000 officers, had been formed long ago; and societies of lawyers, he believed, were also to be found, who were much more strict in the limitation of the privilege to persons of their own profession. He did not expect it to be argued that lawyers were less dangerous to the constitution than soldiers. The hon. member who presented the petition, he believed, was himself a member of a club which had not a great many gentlemen in it. [a laugh, and cries of name, name.] He begged pardon of the House for the slip of his tongue; but what he meant to say was, that in the club to which the hon. member belonged, there were not many gentlemen who were in the habit of voting with the present ministers; at least that club was exclusive in this respect, if in no other. Other societies might be mentioned, to which greater objections, he thought, could be raised than to the military club. He did not think it necessary to name any particular club, but he fancied that several could be found at Brookes's. The real object of this association was, he conceived, most laudable; for it would promote that unanimity and friendship between the two professions of the army and the navy that had been long and anxiously wished. He hoped that the country would view the subject in its true light, and not be led away by the suggestion of fanciful dangers to originate in a club formed only for innocent and convivial purposes.

Mr. *Rose* observed, that after all that had been said, the House would perhaps be surprised to hear that he was a member of this formidable military club—[a laugh and Hear, hear!] though it was very well known that he was neither a naval nor a military man; but he had received an invitation to become a member of it, from a noble lord of so high a character as to be at once a sanction for his acceptance of it. It was of course on account of the official situation which he held that he had received this invitation, by which he felt himself highly honoured. So far was he from seeing any thing objectionable in the institution, that he thought it highly commendable. There was no novelty in its nature; for naval clubs on a similar principle had long been established. And as to saying that there was reason to apprehend that some inroad upon the constitution was intended by such an establishment, consisting of naval and military men, if any mischief of this kind were intended by a combination of that class of society, the object might have been equally effected by their calling a meeting for the express purpose, without proceeding to establish a club. Great inconvenience to the public service had been known to result from commanding officers on foreign stations not being personally acquainted; and to obviate this nothing could be better calculated than this club. He could not see on what positive ground any danger to the constitution was to be apprehended from the convivial meetings of persons connected with the army and navy. Times had been in which the constitution had been put in greater danger by clubs of lawyers, than it could be by this institution. He had heard with shame and concern the attacks which had been made upon this club. For his own part he thought it was established on an excellent principle; he felt himself honoured by being admitted a member of it; he felt warmly interested in its success, and hoped it would long continue to flourish.

Lord *Milton* observed, that the right hon. gentleman who spoke last, instead of removing the constitutional objections to the military club, had added to them new strength by his observations; for he had admitted that he was not elected a member on account of his private character, but because he was treasurer of the navy. And he had added, that similar applications had been made to another individual of the administration, probably to the noble lord the secretary at war [cries of No, no!] He spoke only from information he had received; but whether it were that noble lord, or some other on the treasury bench, was of no consequence; the objection was the same, and could scarcely be rendered stronger, namely that ministers absolutely dependent upon the Crown, were to be added to the long list of those military officers who were to form this unconstitutional association. The complaint was, that the club augmented the power and influence of the Crown, and it was attempted to be answered by the right hon. gentleman, who said that the ministers of the Crown, merely because they were ministers, were to be chosen of the number. He was surprised at the want of discrimination shown by some of those who advocated the other side, who made no distinction between an objection levelled against an institution, and an objection to personal character. The military spirit that must be unavoidably excited was one object of terror in this case: for who could deny that the opinions of persons would be influenced by living in the midst of great military establishments? And the next apprehension arose from the fact that all these associated individuals were dependent upon the Crown, and might become the instruments of oppression. He believed that no clubs of lawyers at present existed; but he wished to know what injury they had occasioned at any former period. The right hon. gentleman however, had asserted that even from lawyers great danger had arisen; and if that were the fact, what alarm might not be reasonably felt at the combination of admirals and generals? It was true that this was not a matter for parliamentary interference; but a beneficial effect, he hoped, would be produced by the expression of opinions hostile to an establishment that was sowing a seed which, in its growth, might be most injurious.

Captain *Waldegrave* fully concurred in all that had been said respecting the propriety of promoting unanimity between the services of the navy and army, who had so heartily combined in fighting the battles of their country. He could see no analogy, however, between the naval and military clubs, for the former were composed merely of half-pay officers, without power or influence; while the latter consisted of individuals immediately dependent upon the sovereign, with large bodies of armed men under their orders to carry their purposes into effect.

General *Gascoyne* observed, that neither the hon. member for Suffolk, nor the right hon. the treasurer of the navy, had removed the objections that were urged against this club; but he conceived that it was in his power to dispel them. When the House perceived the meritorious object for which the club was established, they would immediately, he hoped, feel with him that no danger was to be apprehended from it. So long back as the reign of king William, there were various military clubs. There was the Flanders club, the German club, the new Flanders club, and there was also an American club. Some of these were instituted for charitable purposes, but many of them were formed of military men, who met merely to talk over the service they had seen. At a latter period, there was the Peninsular club, the Holland club, and the Irish Staff club. It was thought desirable that a union of these bodies should be effected, and, under the auspices of lord Lynedock, that union did take place. The club was at first established on the principle of its members dining together once a month. But it was afterwards thought better to form it into an Institution, to which half-pay and other officers, when in town, could resort—where they might be provided with a cheap ordinary, and have an opportunity of associating with genteel company, connected with that class of society which they had always been in the habit of meeting. But as it was thought that such an institution might create jealousy, a proposition was made for extending it, and it was thrown open to militia officers, to any person who had ever been in the army, to lords-lieutenant of counties, and to naval officers. Now, if any jealousy could fairly be entertained against this club, he was sure that gentlemen who had seats in that House, and who were members of it, would not remain attached to it. What had the members of this club done? Was there any resolution, was there any act of theirs, that called on the House to consider the propriety of their meeting? There was no such thing; and, he conceived it would be quite time enough to take the subject up, when a fact of the description he alluded to was proved. Gentlemen seemed to suppose, that general officers were more under the influence of the Crown than other persons. They, however, had no reason for thinking so. He was himself a military man, and he challenged any individual to point out an instance in which his conduct appeared to be biassed by a desire to sacrifice his feelings of duty out of complaisance to the Crown. With respect to the club, he could assure the House, that, when he attended it, he never had reason to suppose, that any thing like political disquisition, which could create a difference of opinion amongst the members, was started in it.

Mr. *Brougham* was of opinion that the gallant general was precisely in the same situation with the gentleman who had spoken before him, in defence of this institution, and had failed to remove the objections that were urged against it. All those clubs, of which he had given a not unentertaining history, were extremely confined in their nature. Some were for charitable purposes, and others were instituted to give officers, who had served together, on particular occasions, an opportunity of continuing their acquaintance. He had no objection to private clubs founded for local reasons, or whose members engaged to bind themselves to a particular beverage. But the club in question was of a most general and comprehensive description. It was formed of a mass of officers—gentlemen who were not employed on any particular service—who were not brought together by any particular predilections—but were united merely as military men. How was it extended? first, by admitting into it naval officers—then throwing it open to militia officers, and lords-lieutenant of counties—and, finally, by enrolling amongst its members, the treasurer of the navy, and the noble lord at the head of the finances of the army. But they were told, that no jealousy could fairly be entertained of the proceedings of such a body. He thought differently; and it did appear to him, that the sort of exceptions which had been made by the club, in favour of certain classes, rather went to prove the propriety of the rule. It was said, that there were lawyers' clubs, from which all other persons were excluded. This was not the fact; although he did not think, if such a club existed, that danger was to be apprehended from it. There was a club, composed principally of lawyers, but it was equally open to gentlemen of other professions. And, if the hon. colonel pleased to favour them with his presence, they would be as ready to receive him, as they would be to meet any barrister, or solicitor of the inns of court. He regretted, that any thing like ridicule was attempted to be thrown on those who felt jealous on this subject—because he felt considerable jealousy himself. If the institution stood alone, he should feel less jealousy; but it formed only a part of the system which had been denounced in that House, and throughout the country—a system which could only be carried into effect by slow and progressive steps, and which had for its object, to alter the character of the country, and make us, more than we had hitherto been, a military people. Such an institution would certainly be one of the most powerful engines for carrying this intention into effect. He did not wish to say more at present, on this subject, since other opportunities would occur for the expression of his opinion; but, if what he had heard were true—if, in a certain quarter, that could easily be guessed, and which rendered it unnecessary for him to specify it, the utmost interest was manifested about the affairs of this club—then it behoved the House to look with peculiar jealousy towards it. He believed that reports of its proceeding were constantly made; that military persons were requested to enrol themselves amongst its members; and that regular returns were made, to the quarter he had before alluded to, of those who gave in their adherence to the club, and of those who refused to join it. He protested against what had fallen from the hon. member for Suffolk—from whose observations, it might be inferred, that those who entertained a constitutional jealousy on the subject, felt something inviduous or disrespectful towards the members of this club. He was sure that no such feeling existed; and he was convinced that the gentlemen of whom it was composed, did not entertain any views hostile to that constitution which they had so gloriously defended. It was not from any jealousy towards the individuals who formed this club, or to the body, as it at present existed, that he entertained this jealous feeling. But, acting on a maxim of ancient prudence, he wished to withstand beginnings, that might produce mischievous results. If excellence of private character could remove his objections, he was convinced that it abounded amongst the members of the club. The noble lord (Lynedock) who was at the head of the institution, and whom he had the honour to call his friend, was a most honourable man, and firmly attached to the constitution. But it was not to the character of individuals that he objected, but to the nature of the institution itself.

Colonel *Wood* begged to be allowed to say a few words beyond mere explanation. There was—on behalf of the club, he wished distinctly to state—not one tittle of foundation for what had been said by the hon. and learned gentleman who had just sat down, about officers being courted to become members, and returns made to a certain high personage. When any person who was a candidate for admission, was rejected, or, as it was called black-balled, the person so excluded, of course heard of his rejection. But except this, there was not the slightest foundation for what the hon. and learned gentleman had asserted.

Mr. *Brougham* still believed the statement alluded to; no refutation whatever had been advanced; the hon. member could only speak from his own knowledge, and he might be wholly ignorant of the interference in question.

General *Gascoyne* observed, that a circular letter was written when new members were elected. This, perhaps, had been mistaken for a report.

Mr. *Western* said, he felt a greater degree of jealousy, on the subject of this club, in consequence of what had been stated in the course of the debate, than he had done before. When he considered, that the duke of York, who was at the head of the army, presided over it, and when he heard, that members of the administration were requested to join it, he thought it became a fair subject of constitutional jealousy. He was glad the discussion had taken place, as it had given gentlemen an opportunity of expressing their sentiments on the subject.

Mr. *Robert Ward* desired the House to observe, that a member of the club had expressly contradicted the assertion of the hon. and learned gentleman opposite, respecting a return being made to any quarter as to the election or rejection of candidates for admission to the club. The hon. and learned gentleman had thought proper to repeat his assertion, and his hon. friend was by the rules of debate, precluded from again rising on behalf of the club to contradict it.

Colonel *Foley* said, his constituents had petitioned against the club, not on account of any ill that had hitherto resulted from it, but in order that the House might watch against any danger that might arise. He stated this on account of the attack which he thought had been made on himself and many members on that side of the House.

Mr. *Gooch* assured the hon. member, that he did not mean, by what he had said, to make any personal attack.

The petition was ordered to lie on the table.

Civil List.] Mr. *Bennet* wished to know whether the chancellor of the exchequer was prepared to present the accounts relative to the civil list expenditure, which by law should have been presented on or before the 28th of last month?

The *Chancellor of the Exchequer* said, that in the course of the week he expected to present the accounts, and he should then be able to show, that though they had not been presented within the time required by law, no improper negligence had taken place. There was a great difficulty in making up the accounts in the short time allowed by the act of parliament. The accounts were to be made up to the 5th of January; till after that time therefore the bills could not be called in. After that the work in the department of the board of works was to be re-measured and valued before the bills could be passed. A similar investigation took place in the other departments, till which time the accounts could not be made up with that accuracy which was necessary, in order that they might be presented to parliament. The only departments in which the accounts were not yet made up were those of the board of works and the lord steward, in which it had not been possible to comply with the act.

Army Estimates.] The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider further of the supply granted to his majesty,

Mr. *Wynn* rose, in pursuance of the notice he had given, to move "That it be an instruction to the committee, that they do make provision for the charge of the British army now serving in France." He presumed it was necessary for him to say but a very few words in support of this motion. If there was one principle more important than another for the Commons of England to adhere to, it was, that they should have the complete control of all armed forces kept on foot by the Crown. Nothing could be more contrary to the spirit of our constitution, or more dangerous to our liberties, than the existence of a military force under the command of the Crown, and dependent upon foreign contributions for support. If this were allowed, we might have an army at Calais capable of being wafted in a few hours to our shores, which parliament would have no power to disband. The only means by which the legislature could control the army was by controlling the supplies for maintaining it; and this control it would be impossible to exercise, if the Crown were allowed to draw supplies from foreign countries without its consent, and to apply them without its interference. The local situation in which this army stood was not a very material consideration. Whether at Calais or at Paris, it was sufficiently near England to excite apprehension in a constitutional point of view, when it was maintained independent of parliament. Wherever it was stationed, the proper course would be to vest in parliament the control over its pay. Another consideration was, should France fail in the payment of her contribution, how could the British army be supported? Ministers could not attempt to make up the deficiency without a palpable and manifest violation of the constitution.

The *Chancellor of the Exchequer* observed, that the only doubt he entertained on the propriety of the hon. and learned gentleman's motion was, as to the time of its introduction. The object would, he thought, be best attained by being left to the discretion of the committee.

The *Speaker* said, an instruction to a committee might either be mandatory, or might call its attention to a subject leaving it to the discretion of the committee itself how to decide. The army estimates having been referred to the committee, the army in France necessarily came under its attention; but the House was at liberty to point out to the committee the course to be pursued with respect to that force.

Mr. *Wynn* thought the more proper and regular course would be, that the committee should receive instructions in the first instance. These were the estimates recommended by the Crown for the consideration of parliament. At the end of the paper it was stated, in a note, "that the British troops stationed in France being by convention liable to be maintained at the expense of that country, it is not proposed to submit to the House of Commons any vote or account of the charges included in the above estimate." If the estimates, with this superadded note, were received without comment, the House would, in fact, be tolerating this mode of supplying a British army.

The motion for the instruction to the committee was then agreed to. On the question being put, that the Speaker do leave the chair,

Mr. *J. A. Warre* rose to make a few observations before the Speaker left the chair. He said, he was anxious to state, that though he voted for going into the committee, he did not consider himself as pledged to support the estimates. He hoped he might be forgiven by the gentlemen on the opposite side for saying, that though they had chiefly directed the alarms of the country to the establishments in a constitutional point of view, his objections to them arose principally from financial considerations. He called upon the ministers to answer, if they were able, the speech made by a right hon. gentleman (Mr. Tierney) in the late debate upon the estimates. In that speech the right hon. gentleman, in the clearness of his statement, and in the force of his reasoning, had exceeded every thing that had been said on the occasion, and, what was the highest praise, had even transcended his former efforts. His views and arguments remained unanswered. When it was stated, that it was necessary to support a great standing army in time of peace, the question naturally occurred—would any advantage that we derived from it be sufficient to counter-balance the expense? Would the forces maintained in our colonies yield us advantages proportioned to the burthens which the nation was required to bear for their support? He would not hesitate to answer this question in the negative. The great and permanent cause of the misfortunes of the country was taxation, and though he was far from undervaluing our colonies, it was not too much to say, that the internal happiness of this country was of more importance to us than an archipelago of islands in any quarter of the globe. It might be said, that there was no one item by the reduction of which the six millions which it had been erroneously supposed would be produced by the income tax could be rendered unnecessary; yet this was no reason why the House should not make all its efforts to reduce the expenditure. If, contrary to all his expectations, it should be found necessary that the money should be raised, it might, he thought, be procured by some other plan. But approaching the subject with the most dispassionate feeling, he thought the army and ordnance estimates showed, on the whole, a spirit of lavish expenditure, which it would be difficult to persuade him was necessary. He would intreat ministers to look at the character and talent contained in the minority of Wednesday night, though he did not go the whole length of that minority, and pause before they submitted to the House the items contained in the estimates. After all the petitions they had seen, and all that they had heard and known as to the distresses of the country, it was the duty of ministers to propose estimates on a reduced scale of expenditure: and unless reductions were made, he should feel it his duty to vote against many parts of the estimates before them.

Mr. *Protheroe* said, he should not oppose the motion, as he thought it was unfair to send back the ministers with their estimates without examining them. He should not, however, vote for one extravagant item. Many appeared to him to be extravagant, and the hopes which he had conceived from the speech from the throne had been disappointed by the estimates. It had been said, that there was no safety for Europe until the military spirit had disappeared. Why should not this country set the example? This example, if not followed, could not be dangerous; but he was persuaded the practical declaration of this country would not be made in vain. The fault of the estimates was, that they were drawn up on the ordinary principles of calculation, without reference to the capability on the part of the country to defray the expense: the financial distresses of the country were paramount to all other considerations. Much had been said of the agricultural distresses of the country. He wished it was in his power to draw a glowing contrast of this distress with the flourishing state of commerce. Notwithstanding what had been said in the speech from the throne, the commerce of the country was far from being in a flourishing condition. Ministers had relied too much on official documents, and the lists of imports and exports. Many of the persons who had swelled those lists, had since swelled the lists of bankrupts, or taken advantage of the pernicious insolvency act. Though the city of Bristol had not met with the severe losses which had affected other parts of the country, it had, however, suffered greatly. That city had petitioned against the income tax, and though as to the nature of that tax he differed from his constituents, yet he agreed that it was necessary to check the source of that tax—excessive expenditure. It had been said that a reduction of 25,000 men would only occasion a diminution in the expenditure of 600,000*l.* This required explanation; but if it was correct, it was not the less necessary to show the people that there was every wish to reduce their burthens.

Mr. *Robinson* suggested the convenience of allowing the House to resolve itself into the committee previous to their admitting the introduction of irritable topics of debate. Then his noble friend would have an opportunity of giving the necessary explanations.

Lord *Nugent* said:—Sir, I do not rise for the purpose of opposing this motion, because I would not have it imputed to me that I wish to throw any unnecessary delay in the way of the business of the House. After the long, the anxious, and the ample discussion, which the preliminary question has received, it would be unpardonable in me so to do. But, Sir, I wish to be understood as not admitting that, because the House has sanctioned the question of these enormous estimates being referred to the committee, the principle on which the opposition to that measure was grounded has been pronounced against. Indeed, on the contrary, more than one of the gentlemen, who, on the last night of that debate, voted for the committee, distinctly said, that they only did so because they conceived the committee to be the proper place for encountering these propositions—propositions, in my opinion certainly unnatural, extravagant, dangerous, and unconstitutional. Sir, although I cannot quite agree with these gentlemen in the propriety of conceding even the first step, still it is in deference partly to these impressions that I am not willing to throw the preliminary question into any further debate. But, having said thus much, I feel that I owe it to my own principles and to my own conscience, to state, that should no one more competent undertake the task, I shall think it my duty, even humble as I am in this House, to take the sense of the House on the report, excepting these estimates shall, during their course through the committee, be entirely and radically altered, in shape and substance, as well as in extent. Sir, that such will be the case we have I think no reason to believe. After what we have seen and heard from ministers and from those many gentlemen who habitually think with ministers, it would be unreasonable to indulge such a hope. It is on that account therefore that I have given this notice.

But, Sir, in going into the committee, there is one fact that we must carry along with us. There is one point on which we must not deceive ourselves. That, in considering the question of exorbitant taxation on the one hand, and of unnecessarily large military establishments on the other, these considerations must and ought to be taken together. They cannot be separated. Many gentlemen I know have expressed themselves as thinking differently. But, for my own part, I confess I cannot see how the question of expenditure can be taken as independent of the question of supply. It ought I think to be fairly felt and understood by the people of England, it ought to be unequivocally stated to them, that the alternative for them rests between exorbitant taxation on the one hand, and reduction of military establishments on the other. Between the keeping up the advantages of a standing army in time of peace, on the one hand, and, on the other, the sacrificing, together with those advantages, the advantages of an income tax. They will then be able fairly to weigh the two sides of this alternative against each other: they will be able fairly to judge; first, whether a large standing army be worth the price we are called upon to pay for it; secondly, whether it be worth any price at all; and thirdly, whether (even if such a force could be kept up gratuitously) it would not be most unwise, unsafe, and unconstitutional, so to do. But the question of tax must first be taken with the question of establishment. They are sister propositions, and must not be separated. They must be taken with reference to each other. For my own part, I will not vote for a large standing army in peace, because (besides other reasons against it), for the sake of public happiness, I hate the income tax. I will not vote for the income tax, because (besides other reasons against it), for the sake of public liberty, I abhor a large standing army in time of peace. I do not think that the income tax is the price the people of England ought to be called upon to pay. I do not think that a large standing army is the thing the people of England ought to be called upon to purchase. If we take either side of the alternative, it is clear we must have both.

Now, Sir, it is for these reasons that I entreat the House to pause upon and well consider every item in the committee. Every item must call for new sources of revenue to be opened to the Crown. Every new source of revenue is a source of fresh grievance, of fresh burthens, on the people—is a source of fresh patronage, fresh power, to the Crown, and therefore of fresh danger and disquiet to the constitution. It is the means by which that babyish vanity is pampered and indulged, which has so ridiculously, but so disgustingly, tricked out the armed youth of England in lace and millinery,—the means by which that very mistaken, that very unmanly, but very guilty policy is supported, which would rather fence round the person of a British prince with a gang of Germanized Hussars, than with the unarmed but unbought affections of the British people. These are the passions, this is the system which these items are to fortify and promote. Whatever objections I may have to any of them in the detail I may take the liberty of urging when they come before the committee. In the mean while I object most strongly to them in the gross. And I truly hope that the House will not hurry through the detail. We are, I cannot but be persuaded, on the very verge and threshold of becoming a military monarchy. A cloud composed of much blacker spots than those in the political horizon of a right hon. gentleman who spoke the other night (Mr. Yorke), is ready to burst upon our heads. It is only the patient courage of parliament that can avert it. I would not willingly practise on the patience of the House, but Sir, I do think that, connected as this subject is with every consideration the dearest and most vital to us, every moment is important that can delay admitting a precedent, irrevocable, and, in my opinion, fatal to the power of parliaments, and the liberty of the people. An annual vote can but be a weak security against an army of 180,000 men, and I fear that the popular part of the British constitution will soon be found wanting, if we allow the sovereign to throw his sword into the balance. Let parliament well consider before it lays open the last strong hold, the sanctuary, the citadel, of the constitution to the mercy of an extravagant and arbitrary court. It is with these opinions I go into the committee and give this conditional notice as to what I shall think it my duty to bring forward on the report.

The motion was carried, and the House having resolved into the Committee,

Lord *Palmerston* said, that in calling the attention of the committee to the consideration of the estimates upon the table, he should endeavour to abstain from the repetition of any detail which he had already communicated to the House, and should merely confine himself to the statement of certain items, with regard to each and all of which he should be ready to afford any explanation that might be required in the course of the discussion. At the outset, however, he felt it proper to observe, that those estimates could not be conceived to refer to a permanent peace establishment, but were to be regarded as an intermediate establishment between war on the one hand and that of peace on the other. But although the proposed establishment was not to be deemed permanent, yet it would appear to the committee that a great deal had been already done, while much more was in contemplation, with a view to the reduction of the army, and consequently of the expenses connected with it. Indeed upon a general view of the estimates, it would be seen, that compared with the amount of the military force last year, a reduction would take place of 87,000 men, which would produce a saving of five millions. The reduction of men was, however, rather apparent than real, as the actual diminution of effective men would amount to only 53,000 of our own troops, which added to a foreign corps of 21,000, would form a total of 74,000. But hence would accrue a reduced charge of five millions. Here the noble lord proceeded to state the items of reduction; among which were the following: household troops, 1500 men; diminution of charge 35,000*l.*—cavalry, 9000 men; saving 314,000*l.*—Saving upon miscellaneous services, 192,000*l.* The noble lord farther recited some savings in the veteran and garrison battalions, in the expense of recruiting, forage, &c. As to the militia, he stated that the whole of the English militia would be disembodied by the close of the month of March, while that of Ireland would be disembodied by the 24th of April. Several of the militia regiments were indeed already disembodied, while others were on the march to their respective counties, with a view to be disembodied. In the expense of staffs and garrisons, a saving of 171,000*l.* would take place, namely, 31,000*l.* at home, and 140,000*l.* abroad. Among the reductions under this head at home, he mentioned two lieutenant-generals, two major-generals, two aids-de-camp to the king, and three aids-de-camp to the regent; and among the reductions abroad, he mentioned five commanders of forces, one general, five lieutenant-generals, and 50 major-generals. In Ireland, it was proposed to reduce two lieutenant-generals and two major-generals. But when the militia in that country should be disembodied, and other arrangements concluded which were at present in progress, it was intended to make a further reduction of two lieutenant-generals and four major-generals. The commanders of the forces which it was proposed to disembody were, those of Ceylon, the Cape of Good Hope, the Mauritius, Gibraltar and Jamaica, and for the commanders on those stations it was proposed to substitute lieutenant or major-generals. These reductions on the staff the noble lord estimated would produce a diminution of charge of about 38,000*l.* The noble lord in stating a reduction of expense in the offices of the commander-in-chief and secretary at war, with other offices connected with the war department, of 1600*l.* by the diminution of clerks, urged this fact as an evidence of the existing disposition to make every practicable saving in the public departments, and he assured the committee that every practicable saving would be made in those departments, as soon as the reduction of business should allow it. But it must be recollected, that the reduction of the army necessarily created an augmentation of business in the several offices connected with the war department. Such reduction was, indeed, in many cases the occasion of more business than could result from the existence of a large army. Upon Exchequer fees, which were naturally reduced in consequence of the diminution of the military expenditure, the noble lord stated a saving of 53,000*l.* Under the head of volunteers, he stated a saving of 44,000*l.* including the yeomanry of England and Ireland. Heretofore he observed, that 4*l.* per man per annum was allowed for the accoutrements of each yeoman, but this allowance was now to be reduced to 3*l.* per man. By the reduction of the local militia, a saving of 263,000*l.* would be produced, for it was proposed to reduce this body one half. The reduction of the foreign corps would produce a saving of 450,000*l.* and the total reduction of this corps would take place as soon as practicable. The German Legion had indeed marched from France towards Hanover, with a view to be disembodied. On stating that a saving of 371*l.* would take place in the expense of the military asylum, there was a cry of hear, hear! Upon which the noble lord observed, that it would be more regular to discuss each proposition separately, according as they should be submitted to the consideration of the committee. In the expenditure for hospitals, and the medical department, he stated a saving of 53,000*l.* and 7,000*l.* in the compassionate list. In the commissariat department in Ireland he stated a saving of 100,000*l.* and in the barrack department, 34,000*l.* The noble lord stated, that 15,000*l.* were to be granted for the pay of British officers in Portugal, but an arrangement was in contemplation which was to be settled in concert with the regent of the Brazils, and by which it would be ascertained whether those officers were to be transferred to the service of Portugal, or to remain in the service of England. Until this arrangement, however, should be concluded, and it would necessarily occupy some time from the distance of the Brazils, those meritorious officers must be provided for. After stating some items of increase in the military expenditure, among which the noble lord mentioned half pay and pensions; a farther allowance to the Hospitals of Chelsea and Kilmainham, for better regulating the payment of pensions; an additional grant of 11,000*l.* to the military college; the restored half pay of captain Gardner, who some time ago held an appointment in the war office, and whose accounts had been lately decided upon by the auditors of public accounts; the noble lord repeated, that the proposed reduction of men upon the whole amounted to 74,000 which produced a diminution of charge to the public of five millions, compared with last year; but comparing the estimates on the table with those of 1814, the diminution amounted to seven millions, and it was evident, upon the face of the estimates, that a farther reduction of one million must take place by next year. There was reason, indeed, to calculate upon a still greater reduction of expense, and the committee might be fully assured of the disposition of his majesty's ministers to adopt every practicable means of diminishing the public expense. Taking, then, the amount of the reduction which he had stated, with the extent of the proposed establishment, and considering that two millions per annum would be required for the purposes described by his right hon. friend (Mr. Yorke) if not a single corps were maintained, he trusted it would appear to the committee and to the country that the estimates on the table were not liable to the charge of profusion or improvidence; that they were indeed as limited as circumstances would justify. But he would again press upon the consideration of gentlemen, that the present was not to be regarded as a permanent peace establishment; on the contrary, it was the resolution of his majesty's ministers to prosecute a system of reduction as far and as fast as a due regard to the safety and honour of the country would warrant.—Here the noble lord took occasion to notice the animadversions which had been made upon his assertion, that if even 30,000 men were deducted from the amount of the establishment under consideration, such reduction would not produce a diminution of expense to the country of more than 600,000*l.* From the estimates, it appeared that the pay for 30,000 men amounted to 999,000*l.* Now, if that force were disbanded, the half-pay of the officers would amount to 156,000*l.*, and in consequence of the increased allowances upon Mr. Windham's plan, the pension to the men would amount to 110,000*l.* and thus, deducting 260,000*l.* it would be evident that his assertion, or calculation of saving, was not unwarrantable. The noble lord concluded with moving, "That it is the opinion of this committee, that a number of land forces, not exceeding 176,615 men (including the forces stationed in France), and also 30,480 proposed to be disbanded (but exclusive of the men belonging to the regiments employed in the territorial possessions of the East India Company, the foreign corps in British pay, and the embodied militia) commissioned and non-commissioned officers included, be maintained, for the service of the United Kingdom of Great Britain and Ireland, from the 25th day of December 1815 to the

24th day of December 1816, both inclusive being 366 days."

Mr. *Bankes* agreed with his noble friend that the way in which he had brought forward the consideration of the estimates was the most convenient that could be adopted. He had abstained from entering into any discussion of the question on a former evening, because he could not concur in the opinion of those hon. gentlemen who were for refusing all consideration of the estimates in a committee. He was indeed a little surprised at the conduct of those hon. gentlemen who, with the maxims of the constitution in their mouths, took a course so opposite to, and so destructive of the functions and duty of that House, which were, to reduce the amount of any estimates if they could, but not to call upon the Crown for fresh estimates. Suppose an address had been carried, in what situation would the House have been placed? Might not ministers have said that they had laboured to the best of their abilities in forming the estimates already submitted, and that they saw no mode of preparing other estimates consistently with their notions of the exigencies of the country? What course would the House pursue in the case of the same estimates being returned to it? He should now proceed to an examination of the general question. They were told that they were not to regard the proposed establishment as a permanent peace establishment. He was aware of that as a general statement, but it did not appear that any attempt was made by the noble lord, to show that the effective force of rank and file could not be reduced below 99,000 men. Various endeavours, indeed, had been made in that House to demonstrate, what was called the necessity for keeping up so high an establishment and he could not help thinking that such an establishment was to be maintained so long as affairs continued in their present state, or did not undergo any material alteration. The necessity, as it had been urged, appeared to him to divide itself into three distinct heads. The first of these was, the actual state of Europe, which was represented to be in a condition somewhat between a tempest and a calm; the ferment of war had subsided, but there still existed a military spirit in all the continental powers, and the noble lord maintained on a former evening, that until that military spirit was curbed and made subservient to the civil authorities, he could not consider it as a safe policy to reduce our establishments. The objection which he felt to that doctrine was, that it made the policy of this country too much embroiled with continental policy, too much mixed up with the general politics of Europe. That had long been his opinion, and recent occurrences had only tended to confirm it. Foreign powers might have certain views with respect to their own internal policy, totally distinct from any desire to interfere with the peace of Europe, or with the safety of this country, and which might render it desirable in their estimation to keep up those gigantic establishments; but were we, therefore, to follow their example, or ought we not rather to look at home, and see what was essential to our own safety? Of all the powers of Europe we were the most secure, and therefore we ought to disarm the first. The second ground upon which the large establishments were proposed to be justified was, the considerable accession to our foreign territories which had taken place, and all of which must be garrisoned. To a certain degree he was disposed to admit the truth of that proposition, but, he contended, that mere extent of territory was not alone a sufficient ground. We might have an extent of territory so situated, that instead of requiring a larger force to maintain it, a less force would absolutely be required. He would instance St. Lucie as an example. That was always regarded as a strong military position, which afforded a powerful protection to other points in the West Indies; we had now obtained possession of it, and in consequence of that possession, he had no doubt that our West India colonies would require a less force to secure their preservation. The Ionian islands were another example; and with respect to the protection which we were to afford our distant possessions, he begged the House to consider two points which seemed to be wholly forgotten: he meant our insular situation, and our naval force, which gave us the command of the sea. Did not that ascendancy give us the power of moving from place to place, and transporting assistance to any point where it might be required? The third ground assumed as the necessity for a large peace establishment was, the position of the two islands of Great Britain and Ireland. We had larger and more numerous fortifications, stores, &c. it was said, which required a larger force to guard them. But he was really at a loss to comprehend the force of that argument. We were in a state of perfect internal security, and no one, not even the most panic-struck, could presume to anticipate any danger from without. He must, therefore, consider the maintenance of a large force, merely for the purpose of fully garrisoning those places in time of peace, as a waste of their strength and money, which the House of Commons ought not to sanction.—With respect to Ireland, it was not his intention to utter a single word against the force stated to be requisite for that country—he believed it to be unfortunately necessary; but he did hope that some measures would be immediately taken to introduce a different system into that ill-fated country, so as to prevent those tumults and disorders which were annually recurring, and calling for the interposition of parliament. Even if a larger force had been asked, he should have voted for it, because he believed a larger force might be beneficially employed. There were two authorities to which he should venture to refer, in support of his opinion, for a reduced military establishment, neither of which, he apprehended, would be disputed by the hon. gentlemen opposite. The first was, the treaties of the noble lord himself; and for his own part, he had no hesitation in saying, that he considered those treaties as likely to preserve the tranquillity of Europe, as any that had ever been submitted to the sanction of parliament. With that view, therefore, of the stability of our pacific relations, he should certainly feel disposed to have our establishments reduced. He conceived there did not exist any grounds for jealousy or suspicion on the part of this country towards its allies. From what power could hostilities be anticipated? From France? Her military strength and her military resources were beaten down beyond the possibility of causing any alarm to England. Who then did we fear? Was it Russia? The noble lord had assured that House, and he trusted in the assurance, that there was no reason to apprehend any danger from that quarter. Surely then, under such circumstances, our establishments might be reduced as low as ever they had been at any former period. The next authority to which he should refer was one that stood very high with the noble lord and with the House. It was the authority of Mr. Pitt, and he would beg the committee to compare the peace establishment of that great statesman with that now proposed. He understood that it would be endeavoured to invalidate the authority of Mr. Pitt, by setting up his own opinion at a subsequent period to show that he repented afterwards of having reduced the establishments so low. It was probable that upon entering shortly afterwards into such a war, he might wish that he possessed more comprehensive means of meeting the exigencies of the moment, but still he (Mr. Bankes) was entitled to regard the peace establishment of 1792 as his settled and deliberate opinion of what he considered to be an adequate defence for this country in a time of peace. That establishment consisted of 15,700 men for the guards and garrisons of Great Britain, and 11,382 for the colonies and plantations, including the islands of Guernsey and Jersey. To that was added, as borne upon the Irish establishment, 1,900 men. Let that be compared with what it was now proposed to maintain. The defence of our old colonies was to be secured by 23,000 men, and that of our new by 22,000 some odd hundreds, making altogether nearly 46,000 men for those branches of the public service alone. With respect to Malta and the Ionian islands, it was a matter of surprise to him upon what possible ground so large a force was to be maintained. They had been told, that the inhabitants of the Ionian islands entertained the most ardent desire to pass under our dominion, and if so, where was the necessity for so large a force? What power did we wish to protect them against? It must be either the Ottoman Porte, or the Emperor of Russia. The former, he conceived, was not in a condition rashly to offend Great Britain, and as to the disposition of Russia towards us, he had already adverted to the sentiments of the noble lord upon that subject, which he regarded as a sufficient security.—In reply to the argument so often insisted upon, that the present was not to be regarded as a permanent peace establishment, he wished to observe, that if he could show there was a greater probability of peace being preserved during the present year than in any future year, when jealousies and differences might arise between the allied powers, that would be a conclusive ground for reducing the establishments this year. Dangers might increase in subsequent years; but now no danger was even alleged to threaten us, and therefore it was our duty to reduce, because we were safe. When those dangers which were as yet but hypothetical, actually arrived, should they ever arrive, then parliament would be ready to concur in raising the establishments upon the danger being shown. What he should consider as an adequate peace establishment, would be 15,700 men for Great Britain, 13,277 for our old colonies, 12,000 for our new ones, and 25,000 for Ireland, making altogether a force of 65,977 men. That he should think a sufficient security for the country, which security he trusted he had as much at heart as any man in it.—He had avoided touching upon the constitutional view of the question, not because he was insensible to the dangers which might threaten us from a standing army, but because a standing army of some sort was so interwoven with all our establishments that it was no longer a question but as to degree. What he should look at with the greatest jealousy would be, the influence and patronage which a large standing army necessarily threw into the hands of ministers. The constitution, he believed, was not so much endangered by the swords and bayonets of the soldiers as by the petty stealing pace of corruption and patronage, which was gradually, silently, and imperceptibly undermining its foundation. The hon. member next adverted to the financial difficulties of the country, and observed, that assuming the revenue of the present year to be equal to what its produce was during the last year, and looking only to the permanent expenditure, exclusive of the army, navy, extraordinaries, and miscellaneous services, and allowing for half the property tax, there would remain a net revenue of only 12,000,000*l.* out of which they were about to vote 9,000,000*l.* for the army alone.—Nor was that the whole: for the extraordinaries would absorb all that they had at their disposal. Let the House look at the estimate for Ireland. In June last the net revenue of Ireland was 5,600,000*l.* The interest of the public debt of Ireland at the same period (exclusively of management) was 5,900,000*l.* The produce of the new Irish taxes was 760,000*l.* He feared, from the internal situation of Ireland, they would not be so productive in this or in any subsequent year. But if they should be so, the surplus would be only 460,000*l.*; and yet in the very first estimate there was a proposed vote for Ireland of 990,000*l.*! He appealed to the whole House, whether in such a situation of things the necessity of economy and retrenchment did not imperiously press itself. We had no enemies to fear abroad, but we had two great enemies at home—a national debt, and a most improvident expenditure. Let those be kept down, and the country would be saved. If that were not done, years of peace would not invigorate us, and on the breaking out of any new war we should be in a state, not of strength, but of exhaustion. At the close of the American war the great mind which then presided over the councils of the nation, feeling the indispensable necessity of economy, reduced all our establishments, and commenced an active warfare against that great enemy, the national debt. Every one was aware that the two measures on which that great man, Mr. Pitt, founded his policy were, the reduction of the national establishments, and the establishment of the sinking fund—that plan which had been, and which, properly managed, would be the salvation of the country. The first step which in his (Mr. Bankes's) opinion the committee ought to take on this subject was, to negative the proposition before them. When that was done, as he hoped and trusted it would be, it would be competent for any hon. member to propose what he should conceive to be a proper estimate. He might have gone too far in his wish to economise; there might be others who would think a middle course preferable. But he called on every man who thought that even only a thousand a year of this branch of the public expenditure might be saved, to come forward on the present occasion.

Lord *Castlereagh* said, that having been prevented, by indisposition, from expressing his sentiments in the previous debates which had taken place on this subject, and being still rather unwell, he was anxious to take the earliest opportunity of delivering his view of the question. And here he must say, that he thought his hon. friend who spoke last, would have done better, and acted more practically, if, instead of negativing the resolutions which ministers, on the best consideration, had thought it their duty to propose, he had submitted his own proposition respecting the amount of the military establishment which he deemed sufficient. But on a question of such immense importance, which branched out into discussions so multifarious in their bearings, so mixed up with all the relations of the country, he was happy that the subject had undergone the kind of preliminary discussion which it had done, because the question for the consideration of the House was now in a great degree narrowed to its own substratum. He was perfectly prepared to meet the hon. gentlemen opposite on the question of economy in an enlarged sense of that word. There was no degree of saving, consistent with what government deemed their duty to the country, that they did not owe to the people, who had trusted them so largely, for their noble and magnanimous exertions. Ministers never would oppose any question of economy on the ground of its insignificance alone. It was the duty of government to see what relief could be given to the people of this country; but he would protest against giving that kind of relief, in regard to a diminution of its establishments that might pass the line of sound policy and discretion. He complained that gentlemen opposite were disposed to deal ungenerously with ministers; and all he had to beg of parliament was, that they would not suffer ministers to be put down by any clamour for economy; for none had a deeper interest than ministers themselves in the enforcement of all practicable economy. There were no individuals whose situation imposed that duty more strongly; and he would venture to state, that the difficulties of conducting the affairs of the country were much greater in peace than in war, at least such a war as the country had gone through. Ministers, under such circumstances, had a duty to perform, from which they would not shrink; never would they be found coveting and captivating the public applause by an affectation of economy that was not founded on what they conceived to be principles of public duty. He wished to dispel that cloud of prejudice that had been ungenerously attempted to be thrown round the government, as if a case had been already established against them of utter oblivion of economy; and he trusted that the case he should be able to make out would place their conduct in a just point of view.

Last year the House confided to ministers the greatest extent of supply that had ever been confided to the ministers of this or any other country,—amounting to a sum of not less than 120 millions. Of this sum 80 millions were appropriated to the active service of the year. The country was at that time newly engaged in a tremendous conflict, while the war was not terminated with America. The conflict had been gloriously terminated, and treaties had been entered into, which, he hoped, might have as much permanence as could be generally looked for in the transactions of mankind. The expenditure of last year had also, he trusted, been conducted with a provident economy; for arrears to the amount of 20 millions had been liquidated, the unfunded debt of the country had been reduced 20 millions, and as his right hon. friend, the chancellor of the exchequer, had stated, there was besides a surplus of three millions applicable to the expenditure of the present year. In the whole, therefore, this made a sum of 43 millions towards diminishing the encumbrances on the country. It was to be considered also, that we were now only at the close of that tremendous war, and could not at once apply the system of reduction to our distant possessions. The fact was, that he was not now arguing the permanent peace estimates; they were the intermediate estimates between a state of war and peace, having much attached to them of the nature of a war expenditure. After the American war, it required some years before the permanent peace establishment could be fixed. And here he might be permitted to say, that the previous debate by gentlemen opposite was in fact directed by anticipation to a presumptive establishment. But intermediate as the establishment was, still it was only 29 millions, while that of last year was 80 millions. Was there any presumption, then, that ministers had not accelerated their reductions as much as it was possible to effect? Indeed, as to the navy, this was a point that had been granted by gentlemen on the other side; nay, he had even heard reproaches against ministers of having reduced that branch with too much rapidity.

Here he would remark, that the notion of a permanent peace establishment, which should never vary as compared with former years, was quite ideal; it was tying ministers to a stake, as if circumstances were always to remain the same as in preceding years of peace. We must look to the constitution of the army, which had undergone such great changes, and to the novel expenditure which had grown up under the sanction of parliament. First, there was what he would call the dead expense of half-pay to the officers, and pensions to the men. The increase in these points had been introduced by the administration to which the gentlemen opposite gave their support, and he had opposed it at the time, as laying the foundation for a most improvident scale of expenditure on the return of peace, and which at some future day would press heavily on the finances of the empire. The country owed to the administration of gentlemen opposite this great weight of what he would call dead expense. And here also he must observe, that he did not impute it as a crime to the same administration that they doubled the amount of the property tax. On the contrary, they received his support to the measure. But he begged not to be subjected to the torture of having that tax described as abominable and inquisitorial, which they themselves had sanctioned. It was a matter of fair question, whether it was wise and proper while the country was engaged in war; but he begged the House to take into consideration the intermediate situation between war and peace, and consider whether some intermediate proportion of that tax were not fairly justifiable. Under these circumstances, it required more nerves than he was possessed of to come and clamour down this tax as the most objectionable of all measures. Gentlemen opposite could not then argue against the tax on the ground of its demerits, unless they turned their backs against all consistency, or even decency.

But, to return from this digression, he would assert, that if the establishment were reduced to 66,000 men, as was the jit of his hon. friend's argument, the dead expense of half-pay and pensions resulting from the discharge of so many men would alone amount to three millions—a larger expense, for no service at all, than the whole of Mr. Pitt's establishment amounted to. He might also state, that the dead expense for the navy amounted to 1,200,000*l.* which, added to the three millions of dead expense for the army, would reduce the hon. gentleman's proposed establishment of 20 millions to something less than 17 millions. He would set the false economy of former times upon a par with that clamour about economy now, which had fastened a sort of night-mare on the breast of the country. The army in point of composition never was so good as now, but it was not equally applicable as formerly to detailed service in our colonies. What was the case in former times? If a battalion was to be sent abroad, it only required so many men to be infused into it from some other regiment, and the skeleton regiments on foreign service were thus easily completed. The commander in chief could not, therefore, supply the demands of our colonies with the same number of men as formerly. Whole regiments must be sent out at a time; while, on the other hand, the skeleton regiments were brought home as they were.

After these preliminary considerations, he should now come to argue the amount of the military establishment for the year, putting out of consideration the forces serving in India and in France. If foreign troops had been selected for the latter purpose, as some gentlemen had recommended, this would rather have increased the expense; for it was to be considered, that the British troops thus brought home and disbanded would have been entitled to half-pay for the officers, and pensions to many of the men, which would have thrown a large burthen on the country. He came now to the 99,000 men of the proposed establishment, or rather 110,000 men, including also the officers; and here he estimated that, on every practical principle, this would not be the amount at the disposal of the government. It would not in fact work to an amount within one-tenth of its whole number; so that, on the whole establishment, government would not have more than 89,000 privates at its disposal. There was also another consideration. He apprehended that there was no objection to the system of relief for our foreign possessions; and he estimated that there must always be seven regiments, of 1000 men each, sailing to relieve their different establishments, and keep them complete. Consequently 7000 more, in addition to the 10,000 he had noticed, might be considered as lost to all effective service, that number being to be considered as constantly on board of transports, in a state of conveyance to all parts of the world. This formed a deduction of 17,000 effective from the 99,000 proposed for the establishment. He next adverted to the 25,000 for Ireland, to which he believed no objection had been stated from any quarter; but, deplorable as the situation of that country might be at present, he trusted that circumstances would soon enable us to look forward to a lower establishment.

He came now to the amount destined for home service, which he conceived the point likely to be most disputed; but there was no one branch of our military establishment on which he was more convinced of the necessity of its amount. It was evident that the army in France, as well as our colonial establishments, must be fed from some reservoir at home; and what then was the proposed amount, but 25,000 men, which were to be applicable to all services? On this alone there might be a great deficiency in effectives, which might be estimated at a twentieth. But the great drain on this force would be for the service of our colonies, so that, when this was taken into account, it would hardly give the country Mr. Pitt's army of 17,000 men in time of peace. He was perfectly prepared to deny that there was any fear of foreign attack; still, however, from the spirit which had gone abroad in modern times, it could hardly be as much expected, as at other periods of the world, that nations would be suffered to rest in peace under their fig-trees. But without a view to any external danger, he did not think that the proposed home force could be called unconstitutional; a certain military force in the best regulated state was essential to the due execution of the law, and to the support of the civil magistrate. England, though now in a state of internal tranquillity, was not on that account to be left without a sufficient force; for there might be several occasions when such force would be absolutely required. There were several instances in English history which would fully prove, that without any reference whatever to external danger, it would not be safe to leave the country in want of a military establishment for the due support of the civil power; for though we must look to the civil magistrate in the first instance for the maintenance of the laws, yet, amid such a variety of complicated interests, a popular impatience might arise, requiring that the military should be called upon for co-operation. But, besides all this, there were duties to perform of a military kind. He was enabled to state, from a paper in his possession, the number of men required for those official duties just after the battle of Waterloo, when the home service was drained to the very utmost, and when the lowest scale of duty connected with gaols, garrisons, and depôts, was acted upon. The total was then no less than 18,000. It was with great reluctance that government employed troops to repress smuggling, but this was the only way of supporting the collection of revenue in Ireland; and what would be the effect on our revenue, if no attempt was made to put down smuggling on our own coast, to which the increased taxation was so great a temptation? A small vibration in the revenue of this country would soon cover the expenses of a small number of cavalry, employed to repress smuggling. Not one of the twelve cavalry regiments would remain unemployed. One of them was stationed in North Britain, three in the metropolis, one to attend and travel with the royal family, and the remaining seven were stationed along the coast, from Liverpool to the Humber, for the better prevention of smuggling. It was known that this was necessary in consequence of the unfitness of infantry for such duty. On the whole, if his hon. friend (Mr. Bankes) would consult any military man, he would find that the estimates for the home establishment, had not in any degree been overcharged.

Having stated, he hoped satisfactorily to the House, the reasons of the increase of the establishment for England and Ireland, he would beg leave now to call its attention to the military force proposed to be kept up in the old and new colonies, comparing the present peace establishment with that of 1792. The number kept up, then, in 1792, for the old colonies, was 17,000 men; the proposition now was for 23,800, being an increase of nearly 7000. The manner in which this force had been distributed, had previously been related to the House; but he had no hesitation in stating, that in the next year a considerable reduction would certainly take place in the force kept up in the West Indies, because, as Guadaloupe and Martinique were still in our possession, and would before next year be given up to France, a reduction would necessarily take place. It was also the intention to reduce one more of the black corps into a regiment, and therefore the House would see, that in truth, as to the old colonies there was no essential increase in contemplation. In Canada and Nova Scotia, the force proposed was 9,500 men and, in this branch of the service, he hoped the House would concur with him that the amount was not too high. He should be the last to suppose that any jealousy existed between this country and America; but if we looked at their possessions and the new character they had assumed, it was impossible for any man to argue that these estimates were taken too high. The very cultivation of Canada opened a new field to America. That colony had swelled in importance to this country, to a degree that no man could in former times have dreamt of. As far as the old possessions of the Crown were concerned, he had shown that there was no essential difference between the present establishment and that of 1792. What, then, was the force intended to be kept up in the new colonies? It would be found, that in comparison to the extent of our new possessions, the force was very inconsiderable. They consisted of Ceylon, the Mauritius, the Cape, the settlements on the coast of Africa, Trinidad, Tobago, St. Lucia, Berbice, Essequibo, Malta, and the Ionian islands. It had been observed, that the possession of St. Lucia made a very great difference in the amount of men to be kept up. He agreed that it did in one point of view, but not in another. He believed that it was the intention to make that place an important naval station, and it would be recollected, that when Guadaloupe and Martinique should be given up, almost all the most important of the harbours of the West Indies would be in the hands of foreign powers. With respect therefore to these colonies, he hoped the House would not think that 4000 men were too great an increase for the whole six new colonies; and he wished it to be recollected, that the situation of these possessions was most materially changed by the great alteration which had taken place in St. Domingo since 1792. As to what possessions were occupied by these 12,000 men; first, there was Ceylon. In that island were two great establishments at the most widely separated points of the island. It was frequently more easy to go to Bengal, than from one of these establishments to the other; with this difficulty of communication it was necessary to keep a large force at each point, in case disturbances should arise. We were now sovereigns of the whole island, and were bound to provide for its tranquillity. For Ceylon he could not state less than 3000 men. The next point was the Mauritius; his hon. friend knew enough of the internal state of that colony, the late period at which it had been taken from France, and the joy testified by the inhabitants at the news of Buonaparté's return to Paris; so that 3000 would not be considered too many in that quarter. The Cape was, indeed, more happily circumstanced; but we were obliged to occupy positions in the interior, so that his hon. friend would see that the number of 3000 could not be reduced. The force on the coast of Africa might perhaps be reduced to 1000. At some future period the Ionian islands were to bear a portion of their own expenses; but when his hon. friend thought 3000 extravagant for that station, did he consider what it was?—that it consisted of a considerable cluster, and not of a single island, and contained a fortress nearly as strong as Malta? A garrison of such a nature must be fully occupied, in order that insult might not be enticed by weakness; so that fifteen hundred men would not be too many for Corfu; but his hon. friend must bear in mind that this would be the maximum. Places which were gained in war necessarily retained a portion of their ancient spirit and attachments, and must therefore, be held for a time with due regard to military caution. And let any military man be asked if those forces were even sufficient to withstand a regular attack; they were only enough to keep the population in order, which was the more necessary, as the Ionian islands, Malta, and the Cape, were vital possessions in point of military importance; and though we had not contended for sugar islands, yet our policy had been to secure the empire against future attack. In order to this, we had acquired what in former days would have been thought romance—the keys of every great military position. When, therefore, the hon. gentleman, by a stroke of his pen, would change 22,000 into 12,000, he would only ruin the country by such economy, and it became necessary to awaken parliament and the people from the delusion that was held out.

His noble friend (lord Palmerston) had been pressed to explain why a reduction of 20, 000 men should make so little variation in the expenditure. He held in his hand an estimate, which showed the expense of 20,000 troops, partly cavalry, guards, and infantry, to amount to 901,000*l.*; adding something for dead expenses, as half-pay, pensions, &c. the sum might be estimated at a million. But, in reducing the number of men, it was not true that all the establishment would fall in proportion. However, the reduction of a million would be the utmost. Now, this year's establishment was nine millions; of these nine millions one was not connected with peace; there remained then eight millions; the half-pay, pensions, and dead expenses, reduced these to six millions; and it was not wonderful if the reduction of 20,000 men would not save more than a million. He hoped hon. gentlemen would not think he disparaged the saving of a million: but the question was, whether they could or could not. He mentioned it with triumph, (and the hon. gentlemen on the other side might join in that triumph, for they were the authors of the measure) that by raising the income tax, this country had found herself in a position in which she never stood at the conclusion of any former war. It was not that we were victorious—not that we had extended our empire, but it was more, we had gained a character. In contrasting the present state of the country with the distresses which arose at the end of the American war, it was now in a comparatively prosperous and exalted situation. The people had been deluded by assertions, that nothing interposed between them and a great reduction of burthens but the obstinacy of ministers, an idea which, he added, was most unfounded. At the close of the American war, new taxes were sought to be raised to support the peace establishment; at present no new taxes were demanded, but a reduction of one half was proposed to be made in the principal tax. Thus, instead of trailing on through years of peace the drag of the preceding war, we were able to give a boon to the country of not less than eight millions of taxes. [Hear, hear!] He knew that hon. gentlemen would say this was not a concession, but a putting on; but he thought it a new and a proud situation to be able to remit eight millions of taxes. The calamities by which the country was at present oppressed were of a nature not to be caused by that system which had been so severely arraigned, nor could they be removed by the changes recommended by the hon. gentlemen opposite. The calamities referred to, necessarily grew out of the peculiar situation into which the social body had been thrown by the termination of the war. He held them to be but of a temporary nature, and he was confident they could not be relieved by any small diminution of our military force which might be thought practicable.

If, then, the hon. gentleman could persuade the House to make that reduction in the force proposed to be kept up which had been recommended, it would not accomplish the good he had in view. Could he (lord Castlereagh), however, be satisfied that the distress at present complained of could be remedied by any of the modes pointed out, without injury to the best interests of the country, he should be ready to go along with the gentlemen who proposed them, and happy to give them his warm support. But such was not the view which he took of the plans which had been suggested, and when he saw that these plans went to the subversion of the military establishments of the nation, he could not consider the object of the saving to the country as being at all equal to the sacrifice demanded. With these feelings, to him the economical arrangement which had been described did not appear at all desirable. This subject, however, would come under the discussion of the House on a future day. He wished it to be understood, that he did not mean to say, if the plan of a peace establishment as proposed by ministers was wise, it followed of necessity that the property tax must be renewed on the reduced scale of 5 per cent. But he was anxious most decidedly to state it as his opinion, that if that House wished to adopt the most efficient means (as he was confident it did) to relieve the distress which at present affected the agricultural classes, that tax must be renewed. It was the intention of his right hon. friend to modify it in such a way, that it should press less than heretofore on those whose unfortunate situation now claimed the attention of parliament. The modifications to which he referred, would be made so to favour the farmer, that when to these was added the relaxation of the taxes on horses used in husbandry, the tenant would hardly feel that he paid any property tax at all. And his right hon. friend, without at all altering the genius and character of the tax, which none could like more than the gentlemen on the opposite side of the House [Hear, hear!]—this was quite certain from their conduct while in power, when they raised it to ten per cent. [Hear, hear!]—without at all altering its character, his right hon. friend hoped he should be able to remove many of the objections which had at various periods been urged against it. Under these circumstances, if the measure in question promised relief to the country, it was not for the gentlemen opposite to object to its character. This he held to be impossible.

It was true the property tax was not the only resource left the country to meet the difficulties with which it had to contend. Aware of this, those who sat on the opposite side of the House, might say, that though at a former period, from the then situation of the country, they had approved of this impost, yet after the vast services which it had rendered to the nation, they were not content we should have recourse to it for two years more. This might be a reasonable objection; but if the tax were not renewed, in what way were the exigencies of the times to be provided for? We might, to be sure, evade the difficulty for a time, by adding six or seven millions to our national debt, in each of the two years, for which it was proposed that this tax should be continued. This, however, was not that mode of escaping the difficulty which would be most satisfactory to the country at large, when the question was thoroughly understood on which the legislature had now to decide. It would be more congenial, he was convinced, to the general feeling, that that course should be taken which he would recommend—that the war should be wound up with that British spirit and exertion, by which it had been brought to a triumphant conclusion. If we thus met the difficulty, instead of going by it—determined to extinguish rather than postpone it, he was satisfied that ease and prosperity would sooner be brought home to every man's door than could reasonably be expected, if, for the present, the tax were remitted, and the sums immediately called for, raised by a loan. He argued against the saving which had been proposed on the estimates, not because it was small, (for every saving, however small, ought to be attended to), but because it had been put in competition with objects of so much greater magnitude. He considered the present question to be one of the largest in all its bearings, which had ever been submitted to the consideration of that House. What could be more important than their decision on the course to be pursued, when the country, emerging from a war—and the most difficult war it had ever been engaged in—was proceeding to establish the bases on which our future policy in peace was to be founded? It was impossible for the House not to feel how important this subject was in all its bearings, affecting as it did, not our military establishments, but the public funds, the general revenue of the country, and all its sources of stability and strength.

But while these things were borne in mind, he entreated the House not to take up those gloomy ideas, in which some gentlemen had indulged. He trusted they would not feel warranted in doing this, and that they would go on proudly and magnanimously in peace, as they had done under all the vicissitudes of war. His hon. friend (Mr. Bankes), he maintained, had taken much too desponding a view of the present state of our finances. It certainly was his (lord Castlereagh's) conviction, that if we did not keep up the property tax long enough to relieve us from the pressure of the late war—if we did not give that artificial support to the public credit, which this measure was calculated to afford, the country must sustain great injury. The tax, therefore, became necessary for a time; for the two years to which it had been proposed this measure should extend. After that period, instead of fearing that it would be necessary for this country to descend from its high situation, even if we were to go on with an annual expenditure of eighteen or twenty millions for our peace establishment, (which, however, we had reason to hope would be considerably lower than either of these sums,) he could see no difficulty in finding a variety of ways by which such a charge might be met without continuing the property tax, and without at all shaking the public credit. The means would probably be furnished by the increasing prosperity of the country. If, for instance, the state of the funds should be such, that but four per cent. should be paid as interest where five was now given—there at once would be a sum of 2,000,000*l*. gained for the service of the public. The increased value of the sinking fund at that period would be likely to furnish another resource of which the minister might fearlessly avail himself. The difference between its present state and that which might be expected again in the next two or three years, was of prodigious importance in the consideration of this question. Now, to preserve the sinking fund untouched was every thing. Three years hence the case would, in all probability, be different, and it might not be improper that its immense operations should be in some degree relaxed.

He trusted it would be seen that the course now about to be pursued, was that which was most consistent with those fundamental principles of economy and policy, by which the affairs of a great nation ought to be regulated. And he hoped this question would be viewed with the eyes of Englishmen—that it would be seen that we had within ourselves the real means and resources for sustaining all the greatness of the nation, both at home and abroad. He wished not to keep up greater establishments than were necessary, and he flattered himself, that no party spirit would reduce those proposed to be maintained, so as to make them less than would be sufficient. On this important occasion, it was for parliament to take that course which never failed to make it stand high in the estimation of the people of this, as well as of those of every other country; that of dismissing all party warfare, in order to meet the discussion with fair, argumentative, and statesman-like feelings. Acting on these grounds, he would go along with them in supporting every practicable measure of economy, but he would never cease to resist that false economy, which appeared fair to the eye, but which in practice would prove fatal to the best interests of the country. He called upon the House to join him with the spirit and the energy of Englishmen, to look the difficulties of the country fairly in the face, and to meet them at once, and not endeavour to evade them by taking that course, which, fallacious in principle, though it might afford temporary ease, could not in its result be permanently beneficial.

After a short conversation it was agreed that the further debate on the army estimates should be postponed till Wednesday.—The House adjourned at a quarter before two o'clock.

HOUSE OF COMMONS.

Tuesday, March 5.

Petitions against the Property Tax.] Petitions against the property tax were presented from the farmers' society of Easter Ross, from the commissioners of supply and heritors of Kircudbright, from the farmers of Kircudbright, from the land-owners in Essex, from Chippenham, Edinburgh, Leith, Horsham, Ludlow, Kingston-upon-Thames, Clapham, Clifton, Dartmouth, Hardness, Lymington, Annandale, Southampton, Great Grimsby, Diss, Roxburgh, Cambridge, Linlithgow, and Deal.

Mr. *William Dundas*, on presenting the petitions from Edinburgh, observed, that he had discharged what he conceived to be his duty to his constituents; having done so, there was another duty remained for him to perform, and that was, to state to the House how very widely he differed from the allegations contained in the petitions before them. He did not agree with his constituents, in thinking that any pledge had been given for the discontinuance of the property tax at the close war, nor could he be persuaded that any such pledge had been intended, when he recollected the almost unanimous vote to which the House had come on the tax in 1806, when it was raised from 6¼ to 10 per cent. The same reason convinced him that it was not repugnant to the true principles of the constitution, for the House of Commons would never have consented to the measure if they deemed it so. Independently of the vote which had been come to in 1806 on the tax, proving that no pledge had then been intended, he would contend, that parliament had not the power to give that pledge, by which they would be restricting the privilege of free discussion if ever the tax were again found necessary. His constituents had objected to the tax, that it was a war tax, and should not be continued in time of peace. It undoubtedly was a war tax, and so it should be considered at the present moment. The country was not now in hostility to any other nation, but the great object for which the war had been entered into and carried on, and for which the tax had long been cheerfully paid, could not be said to be effected if the property tax were not continued for the short period proposed. Its object was, to wind up some of the expenses of the war, and to place this country in such a state with regard to her continental relations, as should better secure to her the advantages of that peace which she had so long struggled to obtain. The property tax, in preference to any other, was the best which could be levied at present. It would raise and support the credit of the country, enhance the price of stocks, and give to the whole kingdom time to recruit its wealth.

Mr. *J. P. Grant* regretted to hear such sentiments as those which had fallen from the right hon. gentleman, but his regret was outweighed by his satisfaction at learning that so numerous and respectable a portion of the community as the inhabitants of Edinburgh had expressed themselves in such strong terms against the renewal of the property tax. He was happy to see petitions so numerously signed coming from the remote parts of the kingdom, as it served to show how generally the feeling of the people extended on the subject of the proposed addition to their burthens. The petitions from Scotland, and particularly from Edinburgh, were the best proof of the extension of this feeling, as it was known that the Scotch, less than any other portion of his majesty's subjects, came to parliament to complain of any public measures. He had heard from very good authority, that the meetings at which the petitions before the House had been agreed to, was most numerous and respectable, and he had also heard that the general feeling of those who attended them was, that a pledge had been given for the abolition of this tax at the close of the war. He regretted extremely that such an idea had gone among the people, because whether it were well or ill founded, it tended to weaken their confidence in the assurances of the legislature. The general understanding in the country, while they continued to pay the tax, and pay it cheerfully, during the war, was, that they would be released from its pressure when that war should cease. The hon. member then contended, that even if no pledge had been given to discontinue the tax at the return of peace, yet it would be wise and politic in parliament not to renew it, as the country had been led to expect its abolition, from the language which had been held by gentlemen on the opposite side. In private life he would not consider that man honourable, who would disappoint the hope which had been founded on a mistake of his words, when such mistake arose from the ambiguity of his expressions: but would still hold, that there had been no misconception on the part of the country with regard to the pledge; for when the table of the House had been covered with petitions from all quarters of the country against the renewal of the tax, it had been given up, and it was only renewed last year, with the direct understanding on every side, that its existence should terminate at the restoration of peace. The hon. member concluded, by expressing a hope that ministers would reflect seriously on the decided manner in which the people had expressed themselves against this tax; and warned them of the consequences of urging a measure, against which the sense and feeling of the nation was so general.

Mr. *Hurst* presented the petition from the inhabitants of Horsham, praying for the abolition of the property tax, to which they asserted that ministers had been pledged. They also complained of the distress which they felt from the pressure of taxes, and the great depression of the agriculture of the country; and they implored the House strictly to investigate every department where the public money was expended, for the purpose of ascertaining what reduction could possibly be made. They more particularly implored their attention to the civil list expenditure. Mr. Hurst observed, that he differed widely from the conduct of the member for Edinburgh, for he approved of every allegation made in the petition which he had presented. He did conceive that a pledge had been given to abolish the tax at the termination of the war; and it was on that ground that he had given it his support. He saw several gentlemen then in the House, with whom he had voted in support of the tax during the war; they could attest that he, with them, had advised his tenantry to pay their taxes, for that the day would come when peace should be restored, and when they would be released from their pressure. His tenants had paid their share of the tax cheerfully, in consequence of this hope which he held out to them—a hope in which he now regretted to find, that he and they had been disappointed and deceived. It was scarcely necessary for him to observe to the House, that he would never have held out such a hope to his tenants, unless it were conscientiously his own.

Sir *C. Burrell* wished to advert shortly to one part of the petition which had been just read. An allusion had been made in it to the civil list expenditure, and he believed that the idea which was formed in different parts of the country on that expenditure, was very different from that which the House held on it. It was believed by many in the country that the vast sum which was annually appropriated to the support of the civil list went exclusively to the maintenance of the royal family—whereas, it was known to the House, that several branches of the public service were paid out of it. He had merely risen to correct what, from the prayer of several of the petitions which had been laid before the House, he conceived to be a common error. With the other points he agreed. It would be a great relief to the country to do away the property tax. The present situation of the country might be compared to that of a country banker who had a run upon his house, and who, if every body pressed him, must be ruined. Similar to this was the present distressed state of the country, which could not well bear the pressure of the property tax.

Mr. *Thornton*, in presenting two petitions against the property tax, from Kingston-upon-Thames, and from Clapham, observed, that though he did not approve of the tax in its present state, he would not pledge himself to vote for or against it until it came regularly before the House. He thought such a line of proceeding subversive of the privilege of free discussion. He would therefore wait to hear what would be said on the subject by the chancellor of the exchequer, and what modifications he intended to introduce into it before he bound himself to any particular vote.

Lord *Milton* expressed his surprise at the language which had been used by the last speaker. He said, he could not conceive that there was any subversion of parliamentary privilege in giving an opinion connected with a subject on which a petition was presented. If the House were to adopt the line of proceeding which the hon. member had pointed out, the consequence would be, that the chancellor of the exchequer would succeed in forcing the tax on the country.

Mr. *Newman*, on presenting the petition against the property tax from Clifton Dartmouth Hardness, observed, that the petitioners had also included a prayer for the abolition of sinecure places and unnecessary pensions, and for reform in parliament. He said, that before he moved the petition should lie on the table, he deemed it necessary to express his concurrence in the prayer which it contained, but more particularly that which implored the abolition of the property tax, and the reduction of the enormous military establishment proposed by his majesty's ministers. On the subject of the property tax he had before given his opinion to the House, and he would repeat, that he considered such a proposition, in time of peace, should be rejected by every member of the House who valued the salvation of the country. The truth was, that even if ministers should succeed in forcing this burthen on the country, they would not be able to collect it, and for the best possible reason—that the country was unable to pay it. To give the House some idea of the distress to which the country in general, but more particularly the agricultural classes had been reduced, he would mention a circumstance which he had from the best authority. He had been informed, that in some parts of the country the prisons were so much crowded with farmers, confined for debt, that some of the gaolers had refused to take any more for want of room. He also fully concurred with the petitioners in opposing the standing army which had been proposed to so alarming an extent; and his opinion on this subject was not at all shaken by what he had heard from a noble lord last night.

Sir *S. Romilly*, in presenting the petition from the inhabitants of Lymington, against the renewal of the property tax, said, that they also prayed for a reduction of the immense standing army, and expressed, in strong language, their sentiments on the danger of such an armed force in time of peace. They also prayed the House not to impute to them "an ignorant impatience of taxation," or a desire to use disrespectful language, when they asserted that they "could not view "the proposed renewal of the tax, so burthensome and oppressive to all classes "of the community, but especially so to "the agricultural and commercial interests at the present moment, when the "majority of the nation are sinking beneath the weight of grievous taxation, "but as a premium to be paid by this "exhausted nation for the detestable purpose of maintaining Louis the eighteenth, "nicknamed *The Desired*, on the throne "of France, in decided opposition to the "repeatedly expressed opinion of the "French people, by the aid of a foreign "army to be paid by this country, and "for the support of a military force in "this kingdom to overwhelm the liberties "of Britons."

Sir *Alexander Don*, on presenting the petition from the landholders of the county of Roxburgh, on the same subject with the other petitions which had been presented, wished to call the attention of the House to the very moderate tone of the petitioners. They did not pray for the absolute repeal of the property tax—they did not even hint at that "consummation devoutly to be wished for," the total abolition of the tax—they only asked, that it might be so modified as to remove those grievances so heavily experienced by the landed interest, from the way in which it was now levied. He could scarcely hope, under the circumstances in which the country was now placed, that this tax could be totally dispensed with; but his expectations would be disappointed—the expectations of Scotland would be disappointed—if the landed interest was now to be pressed upon with the burthen of this tax, as heavily as during the war.

Mr. *Brougham* did not rise to oppose the bringing up of the petition, but to express his approbation of the moderate tone of the petitioners—a tone so very moderate, that, in fact, he thought some of the moderation could have been dispensed with, and the petitioners might have ventured to state their real feelings and opinions on the subject. It might perhaps surprise the hon. baronet to hear him say, that he very well knew what were the real feelings and opinions entertained respecting this tax by the country gentlemen in the county from whence the petition came; but he would state a fact which would explain how he knew that the expression of their real opinions would have carried these gentlemen a little beyond the very moderate prayer of this petition. Some years ago he had the honour of a very confidential communication with the landholders of that part of the country on the subject of the distresses under which the agricultural interest there laboured, especially from this tax; and he had at the same time attended a meeting of the principal men in the county held for the purpose of considering the most effectual means of relieving those distresses. The principal subject of complaint then was against the tenants' property tax, and those of the assessed taxes in the schedule B. At this meeting it was proposed to draw up a petition to be presented to parliament, mentioning their distresses, and praying to be heard by counsel at the bar of the House. This was in 1808; and he ought also to state, that he had been a party to these proceedings in the capacity of counsel for the county. Some years passed away without any thing farther being done. Having taken occasion to express his surprise to one of the gentlemen of the county, that the petition had not yet been presented, he was informed by him that the design had been for the time abandoned—"for," said he "my countrymen, I am ashamed to say, are afraid of giving offence to a noble lord," (since deceased) "who, with his friends, engross the whole management of the political affairs of Scotland." And this it was which caused the suppression of that petition. The House, after this statement, would not be surprised to hear him say, that the real sentiments of the petitioners would have been expressed, if the tone of the petition had been somewhat less moderate.

Mr. *William Dundas* said, that the hon. and learned gentleman who had just sat down had taken upon himself a task quite new to the House. Though the hon. and learned gentleman was not now counsel for the petitioners, he took upon himself to state their real opinions. Did the hon. and learned gentleman pretend to know what were now the sentiments of these gentlemen? It was arrogating somewhat too much for him to say to the House—"This petition now presented to you does not contain the expression of their real feelings and opinions—you must not believe what they now say—I know much better what they think—I held meetings with them seven years ago—I know what they thought then, and therefore you must refer to me, and not to their own words, if you would know what they now wish." Might not the pressure which bore upon these persons in 1808 have been since relieved? But if the House was to believe the hon. and learned gentleman, in 1808, the landholders of Roxburghshire bound themselves by an opinion from which they can never, under any change of circumstances, deviate. The hon. and learned gentleman complained of the tone of this petition, but he would ask, who dictated the opinions said to have been expressed in 1808? In short, it would seem that no credit was to be given to the petition, but all to the hon. and learned gentleman.

Mr. *Brougham* said, the rules of debate prevented him from answering the right hon. gentleman by speaking on the present question, but he would take the first opportunity of vindicating himself from his attack.

Lord *Milton* was satisfied with the terms of the petition, and preferred moderate expressions to violent ones. The petitioners, it would appear, did not object to a modified tax; but he wished to warn them against that danger. He was more particular in this, as the noble lord had said last night, that, however modified, it was desirable to retain the original principle of the tax, which meant that government might retain it in operation as they pleased. Then, on attempting to revive it, they would say they resorted to no new tax, but only to an application of an old principle. He trusted that petitioners would not be lulled into a false security.

The petition was brought up. On the motion that it be read,

Mr. *Brougham* said, that a more extraordinary mode of attack than that which had been used against him by the right hon. gentleman, he had never heard. In the first place he had thrown out a pretty broad hint that he objected to the tone of the petition, because he was not now employed as counsel for the petitioners. Was the right hon. gentleman not aware, supposing that such a feeling could be admitted into the mind of any man—was he not aware, that it was not possible for any member of that House to act in the capacity of counsel for any set of men in any matter before that House? The right hon. gentleman then said, that he took offence at the moderate tone of this petition. He did no such thing. He took no offence at the language of it; but he ventured to state that the prayer of the petition only went half way in expressing the opinion of the petitioners; because it did not ask for that which alone could afford them relief. And he said this, too—that this moderation of tone was caused by a fear of giving offence in a certain quarter. He meant no insinuation against the conduct of the petitioners; he only said that in the quarter of the kingdom whence this petition came, the people were under improper political influence—that in Scotland the rights and liberties of the subject were not so much in the subject's own keeping as in England. The right hon. gentleman would not need any more particular explanation as to the quarter whence that influence came, of which he now complained. The warmth evinced by the right hon. gentleman, was the strongest commentary upon his statement: and it was for the information of the House, that he now stated, that in Scotland there was nothing like a due representation of the people; no such thing as a popular election was known in Scotland. In the towns, the cities, and the counties in that part of the kingdom, the elective franchise was monopolised by some twenty individuals; in many of the counties there were only thirteen electors; in the most extensive counties not above 90 or 100, and only one or two in which there were even so many. He would state, moreover, that the political influence which government possessed in Scotland—and which possessing, it exerted, was the cause why there was no popular representation. It was an undeniable fact, that there never was any thing like a representation of the sentiments of the people of Scotland, unless when on some occasion of urgent necessity the people were called together to express their opinions. He wished the House to know these circumstances, and also that the petitioners would have gone much farther but for the influence which he had mentioned—but that the political defects of the constitution prevented the expression of their sentiments.

Mr. *W. Dundas* said he had not stated that the hon. and learned gentleman objected to the petition because he was not now counsel for the petitioners. In the concluding part of his speech the hon. and learned gentleman complained of the way in which Scotland was represented, because, forsooth, it was not such as he would wish. The sentiments of the hon. and learned gentleman on this subject were very well known; but he would tell him this, that till he could persuade parliament to overturn the whole of the system under which that country so long flourished—to overthrow all the rights of corporations—he would in vain attempt to persuade the House into a belief of the existence of the defects which he saw in it, or that it could be improved by any such alterations as he would propose.

Mr. *J. P. Grant* was not at all surprised at the anxiety of the right hon. gentleman that no change should be made in the system of representation in Scotland. The petitions which that right hon. gentleman had that evening presented to the House from his constituents, and the speech with which they had been accompanied, was a pretty strong proof that their sentiments were not very accurately represented by those of their member. If the system of giving instructions to representatives were adopted in Scotland, he believed that there was not one individual in the populous city which the right hon. gentleman represented, who would not have instructed him to oppose the property tax. For his part he could well conceive the motive which actuated the right hon. gentleman in his objections to the freedom of election in Scotland, for were they free, both he and his family would find more difficulty in managing electors, than they did at present.

Sir *Alexander Hope* presented a petition from certain inhabitants of Linlithgow against the property tax, and praying likewise for some alteration in the distillery laws.

Mr. *Preston* drew a strong representation of the agricultural distresses of the country, which were in reality infinitely greater than they had been described in that House, exaggerated as these statements had been termed by some gentlemen on the opposite side. He thought it highly improper, that any member should oppose the wishes of his constituents, when expressed in numerous and respectable meetings.

Mr. *Ponsonby* said he would be glad to know from the noble lord opposite whether this petition came from those whom he had last night been pleased to describe as clamorously running down this tax, because it was a measure of administration? He would be glad to know, if it was on his (Mr. Ponsonby's) side of the House that the cry had been raised against this tax which now resounded from every part of the country—if the noble lord thought that he owed the indisposition which was felt by the whole nation for this tax to the conduct of the opposition? But if the noble lord would only inquire, he would find that public opinion had never been so general, so universal against any measure. Such was the general feeling upon the subject, that if the gentlemen who sat opposite to the noble lord had wished it, they could not have excited such a feeling of animosity against the tax. It was a feeling so general, that no effort was necessary to raise an opposition to it. As to the political artifices of which the noble lord last night talked, he could only for himself say, that he knew none of them. For his own part, he had always opposed this tax—he had never voted for it in his life, under any circumstances whatever, because he thought the principles established by the law for collecting this tax were quite repugnant to public liberty. The noble lord had praised the gentlemen on the opposition side of the House for their wisdom in increasing this tax,—but he did not feel himself included in the noble lord's compliment. But was there no difference in the imposition of this tax in the time of war? Every petition which had been presented to the House stated, that it had been borne cheerfully during the war. It only remained for him to express a wish that his majesty's ministers would inform themselves of the real opinion of the people. If they did so, they would find that the universal opposition with which their proposal was met, was not owing to those gentlemen in that House who sat opposite to them.

Lord *Castlereagh* observed, that it was not strictly in order to notice what had passed on a former debate, although it certainly was competent to any hon. member to agitate whatever subject he pleased on a question concerning a petition. But he could not think it was the best way to discuss a great and important measure in that incidental way. He certainly thought that it was better to enter regularly upon the debate of so serious a question, rather than to proceed by interrogations. He did impute to the gentlemen on the other side of the House, that they had raised an unjust clamour against the property tax; and when it was considered that they were the persons who as he had always thought, very wisely, raised it from six and a quarter per cent. to ten per cent., surely they were the last who in political decency could come forward to abuse the tax as iniquitous and unconstitutional. All that he wished from these gentlemen was, to lay aside clamour, and to come to the discussion of the subject with nothing but fair argument. If they did so, he was prepared to contend for the expediency of continuing the tax, not upon a peace principle but a war principle. During the administration of lord Grenville, when the tax was increased, and when himself and his friends sat on the other side of the House, they did not attempt to oppose the measure, nor to raise any clamour against it: and during the whole time that they sat in opposition, they supported government in all the proper measures which they had brought forward. But he did say that the gentlemen now on the other side of the House attempted to clamour down this tax, instead of arguing the question: and this was shown by their wishing to place ministers in such a situation as to oblige them either to interrupt the public business, or to leave what they said unanswered. The modified continuation of the tax now was proposed on exactly the same principle on which it had been originally proposed; namely, that of carrying the country through the war and its difficulties; and on this principle he was prepared to argue its expediency. He would maintain that the temporary difficulties and distresses of the country would be best relieved by supporting the public credit, and that the public credit would be most effectually supported by the modified continuance of this tax. Until the whole of the war establishment was got rid of, it would be best to retain this tax in a mitigated form. The right hon. gentleman was no doubt correct when he said that he had never voted for this tax; but he forgot to inform the House of the reason. The fact was, that the right hon. gentleman had no opportunity of giving his vote for or against it, as the tax had been originally laid on before the union with Ireland; and when the political friends of the right hon. gentleman increased it to ten per cent. it happened that the right hon. gentleman was employed in Ireland in discharging the duties of the office which he then held. This was a very good reason why the right hon. gentleman had never voted for the tax. But was the right hon. gentleman prepared to say, that if at that time he had not been absent, he would have opposed that administration—that he would, on the question of this tax, have voted against his political connexions? If the right hon. gentleman would now state that he would have so acted, the House must of course believe him; but he was certain he could not say that he would. He must condemn that course of proceeding by which the gentlemen opposite had carried on *ex parte* debates against this tax, attempting by their clamorous attacks to oppose a measure which had already so mainly contributed to support the country during a long and difficult war—which had been the sheet anchor of our public credit in the hour of danger, and had enabled us triumphantly to weather the storm.

Mr. *Horner* would venture to say that the strongest opinions expressed against the property tax had come from the hon. gentlemen who voted generally with the noble lord. The noble lord continued to assert what he had asserted last night, that gentlemen on the opposite side of the House were precluded from expressing an opinion against the principle of the property tax, because in 1806, during the administration of lord Grenville, they raised that tax from six and a quarter to ten per cent. But the noble lord was at the same time not only forced by his own candour, but also by the justice of the case, to admit that 1806 was a time of war, and that we were now in a state of peace. Why, who objected to the income tax, but because we were now in a state of peace? Who objected to it, but because it was a war tax, which could only apply to a state of war, and which could not now apply to a state of peace? The noble lord had heard gentlemen, day after day, delivering their opinions against those ministers with whom they usually voted, on the subject of a renewal of the income tax, which they considered the faith of parliament pledged to repeal. The noble lord, therefore, while he chose to renew the popular cant against lord Grenville's administration, for it was deserving of no other name than cant, was forced at the same time to admit what destroyed altogether the effect of it. "But then," said the noble lord, "I recommend it now on the war principle." And so this was the boasted result of all the sacrifices of the country—of all the splendid diplomacy of the noble lord, ending in treaties which had bound us up in the most confident security! Such was the state in which the country was placed—a state which no man would ever have suspected, after the brilliant picture which he had so lately drawn of our relations—that the noble lord was now obliged ultimately to declare to the House, that all on which he grounded the income tax was the war principle. He hoped the House would not be deluded by all this. Whatever views the noble lord might entertain of appearing to advantage in the negociations which were expected soon to take place at Frankfort, or elsewhere, if the measures now proposed should be adopted by the country, he hoped the House would not be so far deluded with the hopes of advantages to be derived from these negociations, as to consent to a renewal of the income tax on any such principle as that now professed; and that if supplies were to be levied on the people, they would not consent that they should be levied on the war principle, but distinctly on that of peace. The noble lord, not content with adverting to the augmentation of the property tax during lord Grenville's administration, while the noble lord and his friends had the misfortune of sitting on the opposition benches, took equal credit for not then making any active opposition to that administration. True, the noble lord did not make any opposition in that House, but he made it elsewhere [Hear, hear, hear!] and on a political principle, but with other views and other hopes of success. He (Mr. Horner) first came into the House, during lord Grenville's administration, immediately after the death of Mr. Fox; he remembered one session when the noble lord was on the opposite side of the House; and he thought he could remember also all the occasions on which the noble lord had attempted to distinguish himself by an opposition to the then administration. He remembered that the noble lord made a fight on that great moral question the slave trade—that he was the last who stood in the gap on that memorable occasion. He remembered too, that when his hon. and learned friend (sir S. Romilly) first brought forward his measure for rendering estates liable for the payment of simple contract debts, the noble lord, with the whole host of his learned friends, came down to the House and made a most vigorous opposition, in order to defeat that bill, against which the noble lord and all his friends for several sessions had not had one word to say [Hear, hear!]. But though the noble lord was silent in that House, the intriguing, as all the world knew, was conducted by him at Windsor. And on what question? On the Catholic question—the question whether any relief could at that time be granted to a numerous class of the noble lord's unfortunate and distressed fellow-countrymen.

Lord *Castlereagh* replied, that he had taken no credit to himself for not opposing lord Grenville's administration. It would have been highly inconsistent in him not to have opposed it to the utmost of his power, and his actual opposition had been very decided. He only stated that he had never endeavoured to gain an unworthy popularity, by opposing measures necessary for the public safety.

Mr. *Tierney* observed, that the noble lord had taken credit for extraordinary liberality and moderation in not opposing the augmentation of the property tax in 1806. Why, this moderation was not greater than what had been exhibited by his political opponents. "We, (said Mr. Tierney) did not clamour against the property tax in the last war when Buonaparté was in power and threatened the existence of the country." But they had never thought of making a merit of this. He hoped, therefore, that the noble lord would no longer indulge in that sort of language. If he were asked what was the most factious opposition he ever knew, he should without hesitation say it was the persevering activity with which the noble lord struggled to get into office. The noble lord was now, however, and for some days past had been, somehow or other in a state of great irritation. He dared to say if any one of them had access to his bed chamber, they would find him starting in his sleep, and incoherently exclaiming about property tax, petitions, and parliamentary clamour—things which could hardly fail to be uppermost in his mind. Petitions from all parts of the country were now pouring in on him. The only difference between himself and the noble lord respecting these petitions was, that he called the voice which the country had raised against that execrable tax, a proper and becoming spirit, and the noble lord called it clamour. He never saw any gentleman on the ministerial side in that House set out less triumphantly than the noble lord did last night—no one would have suspected from his opening, that he was to follow with a triumphant army; for the first half hour at least was taken up with a defence of himself. They had been accused by the noble lord of having voted for the property tax in time of war. Now, as to the principle of the tax, no man could ever declare himself more an opponent of it than he did; but when, contrary to his expectations, the country did pay it with cheerfulness, and when on coming into office, at a most critical period, they found the finances of the country in a state of the greatest embarrassment, where was the wonder that they should avail themselves of that tax? Why should so much clamour be raised, because, when the circumstances of the country rendered it necessary, they had increased that to ten per cent. which had been agreed to at a lower rate in principle by the country? And where was the encouragement for any man to venture any thing for the country, if he was for ever to be twitted with it in this manner? Their objection to the tax now was, that it would be a breach of the compact between the country and the House of Commons. The noble lord had told them that they were now to act on a war principle. It was a pity he had not told them so before he called on them to vote an address to the throne, in return to the communication announcing the successful termination of the war, and stating that there existed the best founded hopes of the continuance of peace. The noble lord held one language when he wanted an address of this nature; but when he wanted a large tax it was quite another matter—"Come," said he, "let us all agree that we are now at war." I certainly did think, continued Mr. Tierney, that we were now at peace, and that the smallest danger was not to be apprehended in any part of the British dominions; but the noble lord says we are at war—that we are in the winding up of the war—and that is exactly the same thing as war. He was very willing to attribute a great deal of what had fallen from the noble lord, respecting the administration of 1806, to the state of the noble lord's health, and the irritation which he could not fail to be in. For himself, however, he did not think that he had the smallest ground for being ashamed of the part which he took at the period in question respecting this tax. In war, he had then acted with the country in continuing the tax during the war; and now that we were at peace, he had to act with the sense of the country, much to the annoyance of the noble lord, no doubt, in opposing its renewal during peace. He understood the noble lord to be now pinned down to the point; and that whatever opinions might be expressed by the country through their representatives in that House, nothing would satisfy the noble lord but a vote of the House. He would defy him however to obtain such a vote as would show that it spoke the sense of the people of England, and was not evidently obtained by the mere influence of government. What the noble lord called clamour, was, in his opinion, an indication of the good sense of the people of England. The noble lord would not tell him that it was intended by his majesty's ministers that the tax should cease at the end of two years. They did not mean this, unless by some singular fortune other particular branches of revenue should increase to such an amount as to render it no longer necessary. They intended to make it a permanent part of the taxation of England. The noble lord would call that clamour, as he had called what had formerly fallen from him on the same subject; telling him that his call on the country would not be answered. That call, however, had been answered in a manner which, if he were to use another expression of the noble lord, he would say was rather unsatisfactory to him. He had never seen a body of men in a more pitiable state than his majesty's ministers seemed to be in, making every allowance for their irritation—and he did make every allowance for the heat of the noble lord.

The *Chancellor of the Exchequer* complained, that the time of the House was unnecessarily wasted in conversations that could lead to no conclusion. If, however, he were to give credit to the assertions that had been made, that our other sources of finance were in a state of decay, he thought there was so much the more reason for pressing the property tax. He objected to the mode in which the attack upon ministers had been conducted, both with respect to the ways and means and the supply, and could not understand how those, at whose suggestion the property tax had been augmented from five to ten per cent. could now consistently argue in opposition to its continuance, more especially on the ground that the pledged faith of parliament would thereby be broken. The House would recollect, that on the first introduction of the measure by Mr. Pitt, it was so far unlimited in its duration to the continuance of the war, that it was actually mortgaged by that minister for the payment of no less than fifty-six millions, which would unavoidably have prolonged it for several years beyond the period of the signature of peace. After the peace of Amiens, when that debt by the vigorous measures of the administration of lord Sidmouth, had been redeemed, the tax was continued during the war. The words "and no longer" were certainly added. This expression, however, could not be understood, nor did lord Sidmouth so intend it, as fettering the future discretion of parliament; it only amounted to the expression of an opinion, which circumstances might alter, that it then appeared expedient that the property tax should terminate at the conclusion of the war. In 1806 the amount was doubled by the administration of lord Grenville; and the act for that purpose also contained the proviso, that the tax should continue during the war "and no longer." This resolution, as in the former instance, could not preclude parliament from the exercise of its discretion; and, indeed, a plan of finance was soon after submitted to parliament by the marquis of Lansdown, in which the prolongation of the property tax seemed to be contemplated. It was then proposed, that a large sum should be raised upon the credit of the war taxes; the probability indeed was, that the other war taxes would be adequate to meet the demand without the aid of the property tax;

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but, if necessary, it was to be resorted to, and for that purpose must have been continued so long as might be necessary. The change which took place in the councils of the Crown prevented the passing of the bill, and the charge was met by the successors of the noble marquis, by a specific appropriation of a portion of the war taxes. Doubtless it had been the opinion of Mr. Pitt, and of those who composed the government, that the property tax should not be rendered permanent. This opinion was expressed in the act itself; but the House was aware that in the bill which he (Mr. Vansittart) had introduced last year, it was said, that the property tax should be continued during the war; but the words "and no longer," were omitted. [Hear, hear!] Had they been inserted as usual, he contended that it could not be fairly argued that parliament was conclusively bound by them; but not being there, even that supposed ground failed the opponents of the measure. He was willing to admit that the tax was originally intended as a war tax, and as a war tax its continuance was now proposed. It was to defray a portion of the expenditure of the war, and if parliament in its wisdom should think fit to pledge it for a specific purpose, such as the payment of twelve millions of the unfunded debt, during the two years which it was to last, his majesty's ministers would have no objection to take it upon those terms. It appeared, that during the present year, at least nine or ten millions of extraordinary expense were to be provided for, and in the next year, though the burthen was less, it was still considerable. The truth was, that the charges of the war had been wound up in a very satisfactory manner by the financial measures of the last year; but much yet remained to be done, against which no provision had been, or could be made. The House must be aware that in the course of a war which had lasted for twenty-five years, taxes had been gradually accumulating; in that period no revision of the financial system had been undertaken: that such a revision was necessary, no man would deny, and if the property tax were prolonged for two years within that period, it might be accomplished. If the measure were negatived, the irregular mode in which money had been raised must be continued, and effectual relief would be impossible. This was an additional and a strong reason for continuing the property tax; with it much might be done; without it, nothing. In the early part of the evening a petition had been laid on the table, praying some modification of the property tax; and that the House might be acquainted with the alterations proposed by government, in case the tax should be renewed, he would shortly state them. Early in the session he had stated; that for the relief of the country, only half the sum raised since 1807 would be required, and that it might be possible to add the further remission of one million for the peculiar advantage of the agricultural interest. He had since received many communications, and the result was, that he thought the greater part should be given to the tenants of land —those persons who were included in schedule B. To carry this object into effect, it was intended, during the present and the ensuing year, instead of estimating the profits of the tenant at three-fourths of the rent he paid, it should be calculated at only one-third of the annual value of the land. This modification was made in consequence of the rapid decrease in the value of agricultural produce; and the effect of it would be, that the tenant would be entitled to all the exceptions that resulted from the reduction in the calculation of his profits. For instance, a person who occupied a farm of the annual value of 600*l.* instead of being charged with the property tax on 450*l.* would be supposed to derive only a profit of 200*l.* and consequently at the rate of 5 per cent. would only be called upon to contribute 10*l.* A tenant renting a farm of 450*l.* per annum would be assumed to derive from it a profit amounting to 150*l.*; and as 150*l.* per annum was the point at which the highest rate commenced, all those who derived profits to a less amount would have a claim to an abatement in proportion to the diminution of their gains. A farmer who paid a rent of 150*l.* for his land, would be supposed only to make profits to the amount of 50*l.* a year, and would consequently be exempted altogether from any payment. When gentlemen reflected how many farms in Wales, and in some parts of England, were let at a rent below 150*l.* they would see what an important relief this arrangement would afford to the tenants of land. The diminution in the amount to be raised by the tax, he apprehended, would not be greater than the sum he had mentioned on a former day, or, if it were, the difference could be made up by a small increase of the other imposts.—Another important point with respect to the relief to be afforded, was, whether it could not be given by extending the period of payment. From all the information procured from different parts of the country of the distresses existing, he was inclined to think that an immediate payment would be felt as a severe pressure; what delay should be allowed was a matter to be considered in the committee, should the bill reach that stage, where it would be fit to consider on the one hand the importance of giving every practicable relief to the tenant in his present difficulties, and on the other the danger of ultimately loosing the amount required from him. Other points connected with the agricultural interest would then also come under discussion.—In the petitions that had been presented, much complaint had been made against that part of the tax which regarded the returns delivered in by persons in trade; but upon that part of the subject he could only say, that after the most anxious and patient investigation, he had not been able to discover any mode of avoiding these returns by the parties. In that particular, therefore, he apprehended that, even were the bill new-modelled no complete relief could be afforded. Upon this part of the question, however, much misrepresentation had gone forth: people in general were much deceived as to the proportion of the burthen that fell upon individuals in trade. It was asserted by many, that the great weight was sustained by the poor, and not by the rich; that great numbers were compelled to pay an unfair proportion; and that one-fourth of the whole sum raised was charged upon persons of a very low description. To remove these erroneous notions, it was only necessary to refer to documents upon the table: by the abstract of the population returns, it appeared that 1,131,000 families were employed in trade and in handicraft occupations. Of these only 266,000 had made returns under the property tax act; and consequently, three out of four of the families so employed had not only never paid, but had never been called upon to pay. Of these 266,000, no less than 109,000 families were exempted, having returned that their incomes were less than 50*l.* per annum; and the number which really contributed to the tax was, therefore, reduced to 157,000, or, for the sake of round numbers, to 160,000. Of these families, 121,000 had made returns of incomes to a less amount than 150*l.* and were consequently entitled to an abatement; and only 32,000 had paid for incomes above 150*l.* and under 1000*l.* per annum, and 3,692 above that amount. The facts derived from the latest returns, proved, whatever inequality might exist as to the proportions of individuals, that it was not true that persons in trade had been too heavily charged. But all these subjects could be more satisfactorily investigated on a future occasion: and if any plan could be suggested by which the assessment could be rendered less onerous or more equal, he would be among the first to hail with joy and gladness such an amendment. All he desired was, that an opportunity for inquiry should be afforded, and that the question should not be prejudged. If the measure were finally rejected, he hoped it would be after deliberation and argument by those acquainted with the details of the bill and the necessities of the country, and not by those who refused to examine the one, and were ignorant of the other. That the petitioners were entitled to great consideration, he was as willing as any man to allow; and he had listened to their complaints with great attention, though for two days he had been absent; one of those days he had devoted to necessary recreation after the fatigues of several long discussions, and on the other he had come down to postpone some public business in consequence of the indisposition of his noble friend, and, after waiting half an hour and disposing of the business in which he was concerned, had returned home to enjoy the repose of his family. He trusted, therefore, that the House would not think that he had been negligent in his public duty.

Mr. *Baring* contended, that the details given by the right hon. gentleman were unsatisfactory to all but his friends. Although he had supported the renewal of the property tax last year, he now resisted it on the same principle—because it was a tax that ought only to exist during war; and he was happy to find, from the great ministerial authority on the other side the noble lord, that if it were to be forced upon the country, it was to be continued only for two years—a fact with which, it seemed, the chancellor of the exchequer had not been intrusted. The right hon. gentleman had also been authorized that night to declare, that he was willing to accept the tax in reduction of twelve millions of debt for two years; but if that limit were assigned, it was to be hoped that the words "and no longer," which before had been so slyly omitted by the right hon. gentleman, would not be allowed to drop out of the new bill. He confidently expected that the measure would never arrive at that stage; but in the committee he should be able to prove beyond contradiction, that with the modifications just mentioned, of an insidious and most unfair description, if the tax were continued for the next two years, it would be impossible to find a period, either past or future, when it would be more odious and oppressive. The right hon. gentleman had stated his plan of giving relief to persons included in schedule B. The design of government in making this concession was obvious; and he hoped the House would not be deluded, and that no country gentleman would on that account be induced to impose upon his fellow subjects a heavy burthen, from a portion of which his tenants were to be relieved. He applied the word only to the public conduct, and not to the private character, of the chancellor of the exchequer; but he must assert, that a more dishonest proposal had never been made by any minister. It was the duty of a person holding that important office to treat all classes with impartiality, and not to make odious distinctions for unworthy purposes, too obvious to admit concealment. These attempts no doubt would be self-defeated. With a debt of 820 millions, it was of little consequence whether 12 more were added to it; but it was of the utmost importance that the people of England should be liberated from this unjust, unnecessary, and odious imposition.

Mr. *Rose* vindicated his right hon. friend from the charge of having acted from unworthy motives, contending that the modification was proposed to satisfy a class of persons whom all men admitted to be severely oppressed. He admired the candour with which the hon. member had termed this acquiescence a dishonest proceeding, and he hoped the good sense of the country would fairly appreciate the alleviation thus afforded. He was willing to listen to all the suggestions of persons interested, and to frame the measure, as much as possible, to meet their wishes; but he thought that the claims of persons in trade to relief had been much lessened by the facts detailed by his right hon. friend.

Mr. *Wellesley Pole* defended his noble friend (lord Castlereagh) for having entered into the subject of the property tax last night. He had been obliged to do it, in order to follow and answer the speech of an hon. member who had preceded him. He contended that, as had been stated by his noble friend, the country might now be considered as in an intermediate state between peace and war, at least as to her expenditure. At the close of all former wars, the necessity of an expenditure beyond a peace establishment had been admitted and acted upon. This was peculiarly the case at the close of the American war, the expenses of which had not been wound up for some years after its termination. It was said that even if the tax were necessary, this was the very worst time for reviving it. That might be, but the arrangement proposed by his right hon. friend, to postpone payments, would yield very considerable relief. They did not intend to keep the tax beyond two years; they only pledged it for twelve millions, and should not press for payment. He was astonished to hear it said it was dishonest to assist the agricultural interest, the portion of the community who were suffering most. It was a species of dishonesty which, he hoped, the ministers would adhere to so long as they retained the administration of this great nation: he hoped, in other words, they would ever retain a due consideration for the subject, and apportion the burthens of taxation according to the capability of the people to bear them. He thought he could perceive a considerable difference in the tone of the gentlemen opposite. They now considered this tax as very proper for war, though it ought not to be borne in time of peace. Were those the gentlemen who described that measure as unjust in its principle, odious, oppressive, immoral, what no free country ought to submit to, a tax that charges the one and lets the other escape? Did war so alter the feelings of men and constitutions of things, as to make that just and proper which had been unprincipled and oppressive in time of peace? And who were those who complained so harshly of the measure? the very men who had been the authors of its most obnoxious regulations! He had always heard, that the ingenuity of a right hon. gentleman opposite (Mr. Tierney) had been employed to suggest most of those regulations. That right hon. gentleman had first objected to it, but that was when he sat on the side of the House which he now occupied; but he found afterwards that it was very proper, and not inquisitorial at all in time of war. Mr. Pole deprecated these discussions on petitions to which no objection was made, as against the usual practice of parliament, and unnecessary. Ministers had certainly received a great deal of advice: they had been exhorted day by day, and hour by hour, for the sake of their character and their credit, to abandon this measure; but he was not disposed to take advice from an open enemy. The gentlemen opposite were their declared political enemies; they wished for their political destruction [Hear, hear!]; and should their advice be followed? He suspected a snake in the grass, and would object to take such advice. The government had a painful task to perform. It would be their interest to lighten the burthens of the people as far as it was possible. But their personal feelings must not prevent the performance of their duty, and stop their proposal of such measures as they considered necessary for the safety of the country. Even the gentlemen opposite would think them guilty of a base and cowardly conduct, if they were to abandon the measures which they had proposed, and which they thought best calculated to support the credit and preserve the prosperity of the nation.

Mr. *Tierney* said, he had never before heard that any alterations had been made in the regulations of the property tax when his friends were in office. As for himself, he could say that he never suggested in his life, directly or indirectly, alterations in the property tax, except one regulation in favour of the subject: and in that case he was only the channel of communicating a suggestion which he had thought a good one, and which had been made by another person. It was, that persons might be allowed to pay the sum at which they were assessed into the bank, without the amount being known to the collector, and thence to the public.

Mr. *Baring* explained by saying that the right hon. gentleman was wrong in supposing that he objected to the proposal of granting relief to the tenants, or of modifying the tax as far as concerned them, in their present distress. What he objected to was, a bill which would disregard the other classes of the community, and enact a more lenient rate to the agricultural interest at their expense.

Mr. *Wynn* wished to set the right hon. gentleman right as to some misconceptions into which he had fallen. So far was he from allowing the propriety of the objections made by that right hon. gentleman to the discussions that took place upon the petitions of the people, as they were successively presented, that he thought nothing could be more regular, more proper, or more beneficial. The people made their applications to the House with the hope that they would be attended to, and that they would not be like waste paper on the table. The representations they made should be examined, the prayer they preferred well weighed, the opinions of members should be delivered, and their sense of the relief which their constituents petitioned for, should be promulgated. There could be no reason for the people to state their desires or their grievances at all, if such a procedure did not take place upon them. The House had last night got the noble lord opposite to state his opinion on the property tax, and it had been said that he was provoked into the discussion, although it was irregular, by the observations which had been made by an hon. gentleman whose speech he rose to answer. Now, he did not recollect any thing in the speech of that hon. gentleman that in the least alluded to the subject of the property tax; and if the noble lord had entered into the discussion, he himself had gone beyond the limits of the debate to explain his views, which those who opposed him had thus a right to canvass. The objection to the discussions on the petitions rested on the ground that the regular course of proceeding, which was first to vote the estimates and then to examine the supplies, would by this means be departed from. This objection appeared to him to have no validity. He thought that nations, like individuals, should first ascertain how much they could afford to pay, before they entered into undertakings that required expenses. Now, he conceived that this tax could not in justice, good faith, and wise policy, be resorted to as part of the revenue of the state in time of peace, and applied to the support of the proposed establishment. He had voted for it, not only last year, but on all former occasions, when first proposed by Mr. Pitt, when increased under the administration of lord Grenville, and when renewed by the present chancellor of the exchequer; but he would resist its imposition this year on grounds perfectly consistent with his former conduct. It was the only measure that could on those occasions be devised for raising so large a sum of money as was necessary in the existing state of the country; but it would, in his opinion, have been the height of impolicy to have voted it in ordinary times, or in ordinary wars. If it was asked why he objected to it, when a pledge was offered that it should be relinquished at the end of two years, he would distinctly answer, that he did so because that pledge was now of no value, because it had formerly been given, and had been violated. The defence of the chancellor of the exchequer against this charge was, that the words "and no longer" were omitted in the act. From this strong-hold, into which he ought never to have retreated, he was now driven. What was the whole tenor of his statements and reasonings, when he proposed the measure to the House? What was his answer to the objection made, and the modifications suggested? His reason for rejecting some amendments that were offered, implied the pledge which he had now forgotten. The amendments, he said, might be proper, if the tax were to continue as a permanent source of revenue; but as it was only to last for a year, it would be better to allow it to pass as it was, and to reject any modifications, which, besides being unnecessary for so short a time, might have the effect of reducing its productive power. The relief now proposed to be given to the class under schedule B. he would object to from the partiality that it evinced. He agreed in the general distress of the tenants and occupiers of land, but he thought that the condition of the proprietors likewise called for consideration and relief. Were the landlords to pay taxes upon rents which they had not received? He was sorry he did not see a right hon. gentleman in his place, as he wished to learn from him if it was ever the intention of lord Lansdowne, when chancellor of the exchequer, to propose the continuance of the tax in time of peace.

Mr. *Holme Sumner* censured the conduct of gentlemen on the other side of the House, in their continued charges against his majesty's ministers on every petition, as unfair, and proceeding from unfair motives. [Here the hon. gentleman was called to order by the House.]

Mr. *Wynn*, after appealing to the chair, proceeded to say, that the words employed by the hon. gentleman could not be used with any regard to the decency of debate, or the rules of parliamentary decorum.

The *Speaker* here interfered, and stated that it was contrary to parliamentary usage to attribute motives to gentlemen in debate.

Mr. *Sumner* expressed his regret for having used the language that was declared to be irregular. He employed the words in no personal or offensive sense, but meant merely to convey by them his strong feeling of disapprobation of the conduct of the gentlemen who, without allowing the ministers to make out their own case, took every opportunity of misrepresenting their measures and intentions.

Mr. *Horner* repeated, that the language of the hon. gentleman was indecorous and unparliamentary, as attributing improper motives to members in delivering their opinions.

The *Speaker* submitted that the hon. member had, by his explanation, freed himself from a charge of this kind.

Mr. *Sumner* continued his observations, and protested strongly against the practice of making every petition against the property tax the vehicle of unfounded charges and calumnious misrepresentations. He was sorry he did not see the chancellor of the exchequer in his place, as he wished to hear from him some additional explanation of the changes to be introduced in his plan of the tax in question. He would proceed to make a few observations till his return. When it was said that the tax was only to be continued for two years, and a pledge entered that it would not be allowed to exist beyond that time, by the proposition of mortgaging it for twelve millions, the gentlemen opposite endeavoured to excite the alarms of the country by declaring that the discontinuance would not then take place, but that, on the contrary, it would be perpetuated as a permanent burthen. Distrust and diffidence were thus attempted to be spread over the nation. The most unfounded and incorrect statements were circulated without the walls of the House. It was of importance, therefore, that such things should be mentioned, that the correction might extend as far as the misrepresentation. He was not surprised that an hon. gentleman (Mr. Baring) should oppose the granting of any relief to the farmers (for whose situation he lately expressed such condolence), when he recollected the part that he took against them in the discussions on the corn bill. He himself supported that bill, because he believed its provisions necessary for the protection of the agricultural interest, and he applauded the present proposal, as it afforded a relief which, if that measure had been carried earlier, would not probably have been so necessary. He denied the assertion that the chancellor of the exchequer had given a pledge to discontinue the income tax at the end of the year, as he had only given the House to understand, that it might be reimposed for a year without change or modification; but if it was afterwards found necessary to continue it, that it should undergo certain amendments, to suit it to the state of the country, and the exigencies of the times. Seeing the right hon. gentleman now in his place, he wished to know if he was prepared to communicate to the House the paper containing the plan of the tax, some parts of which he had read that evening.

The *Chancellor of the Exchequer* said, that he had stated the contents of the paper, and considered it as virtually before the House. After it had undergone some technical alterations, he would lay it formally on the table, and move to have it printed.

Mr. *Brougham* said, he should not go at length into the question—not that he had any suspicion that the discussion was irregular, nor from any fear of the imputation of unfair purposes. He would fain remind those gentlemen who objected to the discussions on the presenting of petitions, of the practice of the House in similar circumstances. On the last occasion, when petitions had poured in, indicating a general feeling in the country—namely, during the prevalence of the commercial distress in 1812, similar discussions had taken place, with this difference, that the discussions in the present instance had lasted for ten days, on the former occasion for more than a month. No objection was made on that occasion to the expression of opinion on the part of any gentleman; nor was it suspected that there was any infringement of parliamentary order or decorum in those conversations and discussions which had the effect of diffusing information and satisfying the petitioners themselves, that their prayers were not regarded as matter of form merely, but excited the attention which it was the duty of their representatives to bestow on them. The effects which had been produced by those discussions rendered them precedents worthy of imitation. He did not doubt that the present discussions would be equally successful, and as the discussions then had succeeded in destroying the system of commercial impolicy which had been followed by ministers, so the discussions now would prevent the imposition of an unfaithful and impolitic tax. The ministers, it was said, would now take it for two years only, and only to raise the sum of twelve millions, with modifications, which rendered it less objectionable. He had no doubt the chancellor of the exchequer would be very willing to take it on any terms. He and his colleagues were in such a state, that they would be driven to modify it for the relief of one class and another class, till only the shadow of it remained. Yet he (Mr. Brougham) should be so unaccommodating as to object even to that shadow. He should object to it while it kept any hold on the country, on the same condition as he now objected to it as a gross and glaring breach of public faith, whether the amount was one shilling or 10*l.* per cent. As long as the tax was in existence, the machine could be screwed up, we were not safe from its effects, and the country should know that if it was not now entirely destroyed, they could never hope for its destruction. It had been said by that side of the House, that the modification proposed for the relief of the tenant was insufficient and unfair; but it was not meant that it was unfair to the tenant, though it was insufficient. But that it was unfair to the other classes, as it was insufficient for the relief of the tenant. It was meant to stop the mouth of the tenantry by an act which was the height of injustice to the trading classes. Could any man imagine that a reduction of the tax on tenantry, in the proportion of three-fourths to one-third, would so change the state of the agricultural interest, as to make it unnecessary to afford any relief to the traders? It was not merely by the tax, but by the low price of their produce, that the farmers were at present oppressed. But why also was not the tax taken off the landlords, and those landlords especially, who cultivated their own farms—a class of men deserving the best attention of the House—a class which had not been slow to apply for relief; for the 26 petitions which were presented by the member for Devonshire, were chiefly from men of this description. But now, men who held their own farms, to the value of 150*l.* a year, were left with the whole burthen of taxation on their shoulders, and assessed at the full value. The chancellor of the exchequer might say, he would further relieve the yeomanry, and to that end admit another modification. Then the traders who had been so severely affected by the heavy taxes and low prices, could they pay their share when the agricultural body was relieved? No—they would also be relieved. The professions then remained; and no one would say, that the income of these who had neither capital nor land, but who derived their support from active exertions, should be taxed beyond that of a landholder or a capitalist. They also would be thrown into the exempted class who, then, remained but the fundholders—respecting whom there were differences of opinion. Some thought they should also be exempted—others that they should be taxed. But the further these modifications and exemptions were extended for the purpose of stopping the people's mouths, the less reason was there that the tax should be continued at all. If no money, or a small sum, was raised by it, so much the less reason was there that in time of peace this inquisitorial impost should continue to harass the people of England. As to the inconsistency charged on gentlemen on that side of the House generally, he hoped no one would be deluded by so false and vain a clamour. It was false, as it charged on all that which was true only as to part. Many individuals on that side had not voted for it; for his own part, he had not voted either for or against it, and on what side he should have voted was a question quite unimportant. The clamour was vain, because in war there might be a time when this tax might become a necessary evil; but now the jeopardy of the nation existed no longer, the evil should end with it. As to the hopes held out that the tax would continue but for two years, he could not be deceived by any such promises, when he had seen the manner in which they had been broken. What reason was there, that a minister who after making a promise in 1815, attempted in 1816 to shake himself loose from it, should be believed in his promises for 1817 or 18? It would be said when the tax had expired, that the necessity continued, and that the spirit of the law was, that the tax should be renewed. It was gross self-delusion, to expect, that at the stipulated time it would be abandoned. If it existed one moment longer, it would never be given up while the government existed—it was too easy a means of gratifying the passion for expense—by an infinitesimal turn of the screw, its produce might be raised or diminished to meet any demand. By it might be raised 100*l.* or 14 millions. It was an engine which should not be left at the disposal of extravagant ministers, or extravagant princes, [Hear, hear!]; and if the country by its opposition did not now put an end to it, they might be assured it would be made perpetual.

Mr. *Bathurst* observed, that there was a material difference between the case of the property tax and that of the orders in council referred to by the hon. and learned gentleman, because the former was a measure which had been adopted and petitioned against, while the latter was a proposition in contemplation, which would be subject to ample discussion. With respect to the hon. and learned gentleman's remarks upon the proposed modification of the property tax as to farmers, those remarks were inapplicable. The levy of the tax upon three-fourths of the rent was deemed fair at the time the tax was imposed, but from a change of circumstances, one-third of the rent was now considered as a more equitable criterion. But it did not follow from this reduction, that the hon. and learned gentleman could argue for extending the principle of that reduction to other classes, to whom the considerations upon which it rested did not at all apply. The other classes, however, to whom the hon. and learned gentleman alluded, would derive considerable relief from the reduction of the tax to 5 per cent. Indeed, it was intended to afford to all classes all the relief that could be granted, consistently with a due attention to the principle and produce of the tax. The right hon. gentleman protested against the assertion that any pledge had ever been given that could be supposed to tie the hands of either the government or the parliament upon the subject of this tax. According to the terms of the act, a tax of 10*l.* per cent. was imposed upon the profits of property, trades and professions for one year, ending the 5th of April next, and it was intended that this act should be allowed to expire according to its original import. Thus, the faith of parliament would be preserved, and it was no violation of that faith to impose a tax of 5*l.* per cent. in lieu of that about to expire. The tax was, in the first instance, imposed in consequence of the pressure of necessity, and that necessity still existing to a certain degree, such a continuance of the tax as was required to meet it, obviously justified the proposition under consideration, according to the principle upon which the tax originally rested. This tax was not, on the present occasion, to be regarded either as a war or as a peace tax, but as a tax between war and peace, necessary to wind up the expenses of the former and to meet the exigencies of the latter—as a tax calculated to secure the advantages of peace and to guard against the calamities of war. As to the continuance of this tax, his right hon. friend, the chancellor of the exchequer, had stated, that he proposed to raise only twelve millions from it, and this, he contended, was the only pledge which the House or the country had ever had from any minister upon the subject of the tax.

Sir *Edward Knatchbull* said, that he had only a few words to offer, and those would, he hoped, close the debate. He wished to put two questions—first, to ask the chancellor of the exchequer, whether he was right in understanding it to be his intention to reduce the property tax upon farmers from three-fourths to one-third? and secondly, whether he correctly understood the noble secretary for foreign affairs last night, that it was proposed to do away the duty upon farming horses altogether? Upon these questions, he was anxious to obtain distinct information, before he should meet his constituents at their ensuing meeting.

The *Chancellor of the Exchequer* replied, that the hon. baronet was strictly right in his conception of what was meant, with regard to the proposed reduction of the tax alluded to, as it affected farmers under schedule B.; for under that schedule it was intended to propose a reduction from three-fourths to one-third; while it was meant that all farmers, the amount of whose rent was less than 150*l.* a year, should be exempted from the tax altogether; and that those whose rent was under 400*l.* should be allowed certain abatements. A proportionate reduction was also to be made with respect to landlords who occupied their own estates, or whose rents were necessarily reduced by existing circumstances. With regard to the tax upon farming horses, he never understood it to have been held out that this tax would be repealed altogether: but yet the amount of relief to the farmers would extend to no less than one million; and among this relief, it was proposed to reduce the tax upon farming horses nearly one-half, that is, from 17*s.* 6*d.* to 10*s.* This reduction would however become a subject for separate consideration, after the property tax was adopted.

Mr. *Wynn* asked, whether it was intended to make any abatement on the proposed tax to landlords who had reduced their rents, or who had been unable to collect them?

The *Chancellor of the Exchequer* replied, that those landlords whose rents were reduced would naturally experience an abatement proportioned to the amount of that reduction, and as to those who could not obtain their rents, they were certainly entitled to an abatement, which would, no doubt, meet due consideration.

Lord *Castlereagh* observed, that the conception of the hon. baronet perfectly accorded with what had fallen from his right hon. friend, the chancellor of the exchequer, and the object of the proposed reduction with respect to farmers was, to grant every possible relief to that class, consistently with the preservation of the principle of the property tax. But the proposed reduction of the tax upon farming horses to which he adverted last night, would have the effect of relieving the farmers as much as if the property tax were, with regard to that class, repealed altogether.

Mr. *Tierney* remarked, that according to the noble lord's statement, it would be quite as well at once to repeal the tax upon farmers, as to take the circuitous mode proposed to relieve that class from its operation. But it was obviously the intention of ministers to preserve and enforce the principle of the property tax.

Lord *Castlereagh* said, that it was particularly desirable to afford tenants every practicable relief, and therefore it was intended that a farm of 600*l.* a year should pay only 10*l.* a year to the property tax, and from this tax the tenants would be more than relieved by the proposed diminution of the tax upon farming horses. Thus tenants of a certain class would be practically exempted altogether from the property tax.

Mr. *Forbes* expressed himself much

pleased by these short discussions, which afforded a great deal of information upon a most important subject, while they formed an agreeable contrast to those long debates, in which one part of the House were speaking and another generally sleeping. But he wished to know distinctly, whether the property tax was to be regarded as a war or as a peace tax. He presumed that we were at peace, although from the discussions which had recently taken place, there was really room for doubt upon the subject. But if this were not deemed a war tax, how came it that last year, after the conclusion of the peace of Paris, this tax was suffered to expire? This he thought it important to ascertain, and also whether it was intended that, after the expiration of the two years now mentioned by the chancellor of the exchequer, this tax should cease.

Lord *Castlereagh* observed, that the property tax was abandoned at a certain period of the last session, because it was the general feeling of that House and the country, that it would be more advisable to resort to another mode of taxation, and also because the peace promised to be permanent. On these grounds his right hon. friend brought forward the best budget that he could devise, in lieu of the property tax. But yet the substitute proposed to meet the public exigency was deemed more exceptionable, especially by the gentlemen on the other side. The question, however, on this occasion, was not whether the property tax was more or less exceptionable than any other tax, but whether the public expenditure should be so reduced as to render the country unable to make adequate provision for the preservation of peace, and the establishment of complete security?

The *Chancellor of the Exchequer* said, he was aware that upon first mentioning the intention to continue the property tax he stated, that it was proposed to extend that continuance for two or three years. But he afterwards mentioned two years only, and he was fully prepared to state, that it was undoubtedly the intention of government not to propose the extension of this tax beyond that period.

Mr. *Wharton* asked, whether it was intended to make any abatement of the property tax to such landlords as had reduced their demand for rent in consequence of the distress of the tenantry? He meant those landlords who, although they had not reduced their rent by any legal document, yet made substantial allowances to their tenantry.

The *Chancellor of the Exchequer* replied, that this question referred to details which would more properly be examined in the progress of the discussion upon the proposed measure; but he had no doubt that due consideration would be given to every claim of justice.

Sir *E. Brydges* took occasion to observe, that in adverting to the merits of this measure on a former day, he did not say that his constituents concurred with his views upon this subject, and therefore he was surprised by letters which he had that day received from some of his friends at Maidstone, referring to such a declaration on his part. The representations of his constituents should always have great influence upon his mind, although those representations might, as they certainly did in this instance, differ from his own opinion.

Mr. *Tierney* expressed a wish to know whether, in the event of the rejection of the property tax, it was the intention of the chancellor of the exchequer to bring forward a proposition for tripling the assessed taxes, because the idea thrown out upon this subject had created considerable alarm. Whether the right hon. gentleman had intimated any such intention, he could not say, as he had not heard the intimation. Indeed, he could not believe that any such proposition was seriously intended. For the right hon. gentleman must be sufficiently acquainted with the state of the revenue, to be aware that such a measure would only serve to diminish the produce of the assessed taxes, and to injure our resources in that branch of our taxation. But whatever might be the views of the chancellor of the exchequer, he felt fully assured that the House would reject such a proposition as well as the property tax, and that the right hon. gentleman would be found to gain nothing by his projected revenge.

The *Chancellor of the Exchequer* declared that he never did say any such thing as the right hon. gentleman professed to understand; for he never anticipated so great a misfortune for the country as the rejection of the property tax [a laugh, and hear, hear!]. But should such rejection take place, it would then be time enough to state the several taxes, upon which it would be for the good sense of the House to decide.

The several petitions were ordered to lie on the table.

ARTICLES OF CHARGE AGAINST LORD CHIEF JUSTICE ELLENBOROUGH.] Lord *Cochrane* rose, pursuant to notice, to bring forward his promised charges against lord chief justice Ellenborough. The noble lord observed, that when he recollected the imputations cast upon his character, circulated industriously previous to any legal proceedings—the conduct pursued at his trial—the verdict obtained—his ineffectual endeavours to procure a revision of his case in the court of King's-bench, and the infamous sentence there pronounced, together with his expulsion from that House without being suffered to expose its injustice—When he called to mind his dismissal from a service in which he had spent the fairest portion of his life, at least without reproach, and his illegal and unmerited deprivation of the Order of the Bath, it was impolitic to speak without that emotion by which he was almost overcome. [Here the noble lord was for some moments interrupted by the evident force of his feelings, until encouraged by the cheers of the House] He had but one course now left to pursue, namely, to show that the charge of the lord chief justice, on which he directed the jury to decide, was not only unsupported by, but was in direct contradiction to the evidence in which it professed to be founded. He did not wish to use any harsher description of that charge, or to excite discussion at the present moment; but would merely lay his complaint on the table of the House, with a view to the consideration of the subject on a future day, when members would be more competent to decide. This he thought the best course to pursue both in justice to the learned judge and to himself. He (lord Cochrane) was either unfit to sit in that House, or his judge on the Bench. He had brought his charge deliberately against the lord chief justice, and he defied the whole world to disprove the facts therein detailed: they were founded on the summing up of the judge, which he would prove to have been corrected by himself, and on the evidence contained in the minutes taken by the sworn short hand writer of that House. All that he desired was, that the House would investigate this matter to the bottom. He had courted investigation in every shape, and he trusted that the learned lord would not shrink from it, or suffer his friends on the opposite side to evade the consideration of his charges by "the previous question." At present, however, he should merely move that he should be allowed to lay on the table certain charges against the chief justice of the King's-bench with respect to the trial of Charles Random de Berenger and others, accusing the said chief justice of partiality and misrepresentation, injustice and oppression upon the said trial.

The *Speaker* observed, that as a member of that House the noble lord was entitled of right, without any motion, to lay on the table any charges he thought proper to prefer against any individual.

Lord *Cochrane* then observed, that perhaps it would not be necessary to trouble the House at present by reading more than the heads of the charges.

The *Speaker* thought the House could not receive or entertain charges solemnly brought against any person, without hearing them immediately read.

Lord *Cochrane* said, he had proposed this course upon the precedent in sir Elijah Impey's case.

The Charges were then laid on the table, and read at length as follow:

ARTICLES OF CHARGE of Partiality, Misrepresentation, Injustice, and Oppression, against the Lord Chief Justice Ellenborough, at the Trial of Charles Random De Berenger, and Others, in the Court of King's Bench, on the 8th and 9th days of June 1814; and upon subsequent Proceedings connected therewith.

FIRST CHARGE.—Of compelling the Counsel for the Defendants to enter upon the Defence, at, or near midnight, when they complained of great fatigue from long attendance; and assigning insufficient and artificial reasons for so proceeding.

That a Bill of Indictment against Charles Random De Berenger, and others, for a Conspiracy to raise the price of the public funds, on the 21st day of February 1814, was tried before the lord chief justice Ellenborough and a special jury, on the 8th and 9th days of June following, and that a verdict of guilty was returned against the several defendants. That it appears, by the minutes of the proceedings at the said trial, as taken in short hand and published by William Brodie Gurney, short-hand writer to both Houses of Parliament (page 254 and 255,) that the evidence on the part of the prosecution closed at a late hour on the night of the first day's proceedings, and that the counsel for the defendants then represented to the said lord chief justice, that they had undergone great fatigue, and felt a difficulty in the discharge of their duty, owing to the length of their attendance, and that it would be a hardship upon parties, charged with so serious an offence, if their case was heard at that late hour, and a fresh day given to the counsel for the prosecution to reply. That notwithstanding such representations, the said lord chief justice required and compelled the counsel for the defendants to proceed with the defence, without allowing them any interval for refreshment or repose.

That by the minutes aforesaid (page 256,) it appears that Mr. Serjeant Best, counsel for sir Thomas Cochrane, commonly called lord Cochrane, and two other defendants, then commenced the defence by assuring the jury, "That he was extremely sorry on his own account, and still more sorry on their account, that it would be necessary for him, if he was able to do it, to take up a considerable portion more of their time in the discussion of this most important question;" and that towards the conclusion of his speech (page 291 of the said minutes) he expressed himself conscious, "that fatigued as he felt himself when he rose to address the jury, after having been thirteen or fourteen hours in court, he had very imperfectly discharged the duty he owed his clients."

That by the minutes aforesaid (page 255,) it further appears, that when the said lord chief justice required the counsel for the defendants to proceed to the defence, it was not with the view of going through the cause at one sitting, and of preventing the separation of the jury, but with the avowed intention of adjourning at another period of the cause. That since an adjournment was in contemplation, and from the length of the proceedings was evidently expedient, and probably unavoidable, the time suggested by the prayer of the defendants counsel would have been a proper time for that purpose; not only on account of the fatigue of which they complained from the length of their attendance, and the probable weariness of the jury, but because the time (being near midnight) and the situation of the cause (being the close of the case for the prosecution) concurred to render it the period at which the cause might be most naturally and conveniently divided.

That the said lord chief justice, as appears by the minutes aforesaid (page 254 and 255,) expressed himself anxious to get into the defendants case, so as to take the examination of several witnesses, upon whom, he observed, the public business of certain offices depended, and who could not, he asserted, without the greatest public inconvenience, attend the next day; although it does not appear that any such inconvenience was suggested by those officers themselves. That this was the only reason which he, the said lord chief justice, assigned for requiring the advocates to enter upon the defence at so unfavourable and unseasonable an hour. That the reason so assigned, was not of sufficient force to warrant such a proceeding, because the possible injustice of convicting innocent persons of infamous crimes, ought more to have been considered than the greatest public inconvenience that could possibly have arisen from the further attendance of the witnesses.

That the reason so assigned was not only insufficient but artificial; first, because when the speeches for the defendants were ended, the said lord chief justice immediately adjourned the court, without proceeding to the examination of any one of those witnesses to whom he had reference; all of whom attended again, and their further attendance was not productive of any material, if any, public inconvenience whatever.

That the reason so assigned was artificial; secondly, because it appears by the minutes aforesaid (page 333,) that as soon as the speeches for the defendants were concluded, the said lord chief justice observed, that it appeared to him that "that would be the most convenient time for dividing the cause, as the evidence would occupy considerable time probably;" which was not a sufficient motive for separating the argument from the evidence, and deferring the examination of the witnesses, if any great public inconvenience had really been apprehended from their subsequent attendance; and the probability that the evidence would occupy considerable time, was not less obvious previous to the defence than afterwards.

That the aforesaid reason for precipitating the defence was artificial; thirdly, because the said lord chief justice did not allege the immediate necessity of examining all the witnesses, but those witnesses only on whom the business of certain public offices depended (page 255); and that the first lord of the admiralty, the secretary to the commander in chief, the under secretary of state for the colonial department, and one of the clerks in the adjutant general's office, were the only persons connected with the public offices examined as witnesses on the part of the defendants. And their evidence would not have occupied considerable time, because the whole of it was comprised in less than six pages of the said minutes; and therefore, had any such public inconvenience been apprehended as alleged, one or more, or all of those witnesses might have been examined previous to adjournment, at the expense of very little additional time or fatigue.

That the reason aforesaid was artificial; fourthly, because several of the defendants had separate counsel, and only three of the ten advocates who were in attendance for the eight defendants, made any address to the jury, and none of them spoke at so great a length as the counsel for the prosecution; and that the defence occupied considerably less time than could reasonably have been expected, unless it was anticipated that the lateness of the hour, and the fatigue of which the advocates complained from long attendance, would compel some of them to be silent, and others to omit or contract their arguments. That the speeches for the defendants, as appeared by the minutes aforesaid (page 333,) terminated as early as three o'clock in the morning, and that the lord chief justice did not anticipate an earlier termination, because it appears (page 255,) that when requiring the counsel to proceed with the defence, he observed that the sun would be up almost before they could adjourn. That nevertheless the said lord chief justice dismissed the jury without proceeding to the examination of those witnesses, who, he had asserted, could not, without the greatest public inconvenience, attend again for that purpose, and whose present examination, in order to exonerate them from further attendance, he had represented as a matter of state-necessity, to which the avowed incapacity of the defendants counsel to proceed at that period, with justice to their clients, was unavoidably to be sacrificed.

That, for all these reasons, it appears that the motive assigned for hastening the defence was artificial, and that it never was expected or intended, that a single witness should be examined previously to adjournment.

That it further appears by the minutes aforesaid (page 255,) that when the counsel represented the hardship of requiring the defence at that late hour, and of giving a fresh day to the prosecuting counsel to reply, the lord chief justice answered, that it would not be a fresh day, inasmuch as they would again be assembled by nine o'clock, and the sun would be up almost before they could adjourn; and that he would sit through it, if they required it, rather than that. That this was not a satisfactory or well-founded reply, because by the said minutes (page 333), it appears, that when the said lord chief justice dismissed the jury at three o'clock in the morning, as aforesaid, he told them that he could not expect their attendance before ten o'clock, and that he thereby allowed an interval of seven hours to the counsel for the prosecution, which though not literally a fresh day, was as much so in effect, as if he had allowed a similar respite to the counsel for the defendants, by adjourning at twelve o'clock at night till seven in the morning.

That the offer of the said lord chief justice to sit through the cause, if required, rather than allow a fresh day to the prosecuting counsel to reply, was fallacious, because there was no probability that the counsel who then complained of extreme fatigue, after sitting only half through the cause, would have been able, or could have expected his lordship and the jury to be able, to sit through the whole of it.

That, therefore, the said lord chief justice, without any just cause, compelled the counsel for the defendants to enter upon the defence after the trial had been continued without interruption for a longer period than the human faculties are usually sustainable without refection or repose; and when it was impossible that the counsel could be so capable of exertion, or the jury of attention, as the equal administration of justice required. And that the said lord chief justice Ellenborough, by such proceedings, and by saying and doing as herein set forth, was and is guilty of partiality, injustice, and oppression.

SECOND CHARGE:—Of confounding the different Cases of Lord Cochrane, Mr. Cochrane Johnstone, and Mr. Butt, and untruly representing their respective transactions in the Funds, on and prior to the 21st of February 1814, to be so far similar in manner and amount, as to evince a unity of action and object, and to indicate that each of them had speculated with a view to that particular day.

That by a general statement of transactions in the funds of lord Cochrane, Mr. Cochrane Johnstone, and Mr. Butt, produced in evidence on the part of the prosecution at the trial of Charles Random De Berenger, and others for a conspiracy, and annexed to page 184 of the printed minutes of the proceedings at the said trial, it appeared, that the amount of stock held by Mr. Butt on the morning of the 21st of February 1814 was more than double; and the amount held by Mr. Johnstone considerably more than three times the amount held by lord Cochrane. That it further appeared by the said statement, that from the 8th to the 21st of February 1814, being the day of the fraud, the transactions of Mr. Johnstone and Mr. Butt, so far as they were conducted through the agency of Mr. Fearn and Mr. Smallbone, were almost exactly similar in time, mode, and amount, and by an inspection of their earlier accounts the like similarity is apparent from the date of Mr. Johnstone's first speculation, through the brokers employed by Mr. Butt, which appears to have occurred on the 28th of January of that year, the transactions of Mr. Butt and of lord Cochrane having commenced at an earlier period. But it also appeared by the said general statement, that from the 8th of February to the day of the fraud, Mr. Johnstone was engaged in similar transactions to a much larger amount through the agency of another broker, a Mr. Robert Hichens, who was not employed by either lord Cochrane or Mr. Butt; neither of whom as far as appeared was acquainted with Mr. Hichens, or with the extent or existence of Mr. Johnstone's transactions through his agency.

That by the evidence of Thomas Vinn, one of the witnesses on the part of the prosecution at the said trial (page 142 of the minutes aforesaid), it further appeared that Alexander M'Rae, one of the defendants, solicited the said Thomas Vinn on the 15th of February, to go down to Dartford, Folkstone, or Dover, that evening, and to personate a French officer, for the purpose of practising a deception against the Stock Exchange; by which it appeared that the fraud was originally intended to have been perpetrated on the 16th of February, being five days earlier than it was actually effected. That it further appeared by the general statement (annexed to page 184 of the said minutes as aforesaid,) that Mr. Johnstone had daily and largely increased his purchases, principally through the agency of the said Robert Hichens, from the 8th of February aforesaid to the 15th inclusive, the day on which such solicitation was made by M'Rae to Vinn; and that on that day he held to the large amount of 615,000*l.* omnium, and 100,000*l.* consols, of which about two-thirds, namely, 465,000*l.* omnium, was through the said Robert Hichens. That it appeared by the minutes aforesaid (page 143,) that the said Vinn refused to engage in the transaction, and therefore that the fraud was not perpetrated on the 16th as intended. And it also appeared by the said general statement, and also by the evidence of the said Robert Hichens (page 175 of the minutes aforesaid), that on that day, the 16th, Mr. Johnstone reduced his account by the sale of 200,000*l.* omnium; and it appears by the detailed accounts that he did so at a loss of 4,927*l.* 10*s.* That after Mr. Johnstone had so as aforesaid, on the 16th of February, sold to the amount of 200,000*l.* being 25,000*l.* more than lord Cochrane ever held at one time, he retained a balance of upwards of half a million. That on the same day (the 16th,) the day on which Mr. Johnstone so materially reduced his balance through the agency of the said Robert Hichens, who was not employed by or known to the other defendants, he did, as appears by the statement aforesaid, in a small degree increase it, by the difference between the purchase of 18,500*l.* and sale of 10,000*l.* omnium, through the agency of Mr. Fearn, the broker of the other defendants, lord Cochrane and Mr. Butt; and thereby preserved the appearance of dealing in conformity with, under the discretion of, and to no greater extent than Mr. Butt, who it appears made a similar purchase and sale on the same day.

That it further appears by the said general statement (page 184 of the said minutes), that lord Cochrane held a balance of only 100,000*l.* on the said 15th of February, the day on which M'Rae made the proposal to Vinn; and that on the 16th, after the said Vinn as aforesaid had rejected the proposal of M'Rae, lord Cochrane, instead of reducing his account, increased it by the purchase of 50,000*l.* more; and by the accounts aforesaid, it appears that more than three-fourths of that amount was purchased at the rate of one and three-eighths per cent. more than the rate at which the major part of Mr. Johnstone's large amount of that day was sold; and by which sale he incurred a loss to the amount before stated. That therefore it appears, that lord Cochrane must have been ignorant of M'Rae's application to Vinn, and that he pursued a different line of conduct to that adopted by Mr. Cochrane Johnstone. That by the said general statement it appears, that Mr. Butt on the said 16th of February increased his omnium account with Mr. Fearn in the same proportion as Mr. Johnstone, as aforesaid, with the addition of 40,000*l.* consols, and that he did not decrease it by means of any other broker; and that therefore it appears, that he also was ignorant of the transactions between M'Rae and Vinn. That the amount bought by Mr. Butt and lord Cochrane, added to the amount sold by Mr. Johnstone on the said 16th of February, making together 290,000*l.* demonstrates, that so far from there being that similarity between their transactions as alleged at the trial, their dealings were diametrically opposite, at the most critical period, to a very considerable extent.

That it further appears by the said general statement, that lord Cochrane did not only increase his account on the said 16th of February, the day after the failure of M'Rae's application to Vinn, but that he held a larger balance on that day than on the morning of the 21st, when the fraud was actually committed. That although it appears by the aforesaid statement (page 184,) that lord Cochrane purchased 20,000*l.* on the 19th of February, it also appears that he caused the greater part thereof, namely 17,000*l.* to be sold on the same day; and by the said accounts it appears, that he did so at a loss, which furnished the strongest presumptive evidence, that he did not anticipate a rise on the morning of the 21st.

That notwithstanding it appeared at the trial, by the evidence aforesaid, that lord Cochrane pursued a different line of conduct to Mr. Johnstone, by making his largest increase of stock on the day on which Mr. Johnstone made his largest reduction, being the day after the failure of M'Rae's application to Vinn, it appears by the minutes aforesaid (page 500,) that the lord chief justice Ellenborough did make, when referring to the cross-examination of the aforesaid Robert Hichens (page 176,) relative to such reduction of Mr. Johnstone's account, the following observation to the jury: "He (Robert Hichens) states Mr. Cochrane Johnstone's balance on this and different days, and it appears that they (by which the said lord chief justice evidently intended to include lord Cochrane and Mr. Butt) had been dealing in the funds with a view to that particular day" (meaning the day on which the fraud was committed); and that by such observation the said lord chief justice intimated to the jury, that it appeared by the evidence of their respective dealings in the funds, that the three last-mentioned defendants were all conjointly and equally guilty.

That although it appears by the said minutes (page 28) that the counsel for the prosecution stated, that lord Cochrane had been a speculator in omnium for one week only, and gave in a statement of his account (annexed to page 184 of the said minutes as aforesaid) by which it was made to appear that his first transaction of the kind was the purchase of 100,000*l.* omnium on the 14th of February, whence it was inferred that he commenced the speculation with a view to the fraud; yet it appeared by the evidence of Mr. Fearn (page 167) that this statement was unfounded, and that he had sold for lord Cochrane hundreds of thousands before that day, and that such speculations had been going on from the month of November preceding; and by reference to the earlier accounts, they appear to have been commenced on the 22d of October, being a period of about four months previous to the fraud.

That by lord Cochrane's account of stock from December 1813 till the 21st of February 1814, it appears, that from the 24th of December till the 10th of January, being a period of seventeen days, and more than six weeks previous to the fraud, he held to the amount of 150,000*l.* consols; to which amount, on the 8th of the said month, he added 25,000*l.* omnium, making together a sum of 36,000*l.* more than he afterwards held on the 21st of February. That again on the 24th of January he held 150,000*l.*, and again on the 16th of February to the same amount. That from the 25th of January to the 9th of February, he held 110,000*l.* consols, of which part only was sold on the 9th, and the remainder on the 10th; by which it appears, that the 100,000*l.* omnium purchased on the 14th, and represented at the trial to have been lord Cochrane's first transaction of the kind, was merely a change in the description of stock from consols to omnium, pursuant to his previous practice, as appears by the said accounts, of speculating alternately in those two descriptions of stock; and that no unusual or increased purchase was made by lord Cochrane at the period in question. That a lapse of two days (exclusive of Sunday) between the close of the consol account on the 10th, and the renewal of the omnium account on the 14th, occurred during lord Cochrane's absence from London, and proceeded (as represented by Mr. Butt, who was authorized to replace the account) from the interposition of Mr. Cochrane Johnstone, who persuaded him not to enter into any new account on the part of lord Cochrane.

That it further appears by the said accounts, that from the 23d of December till the 21st of February, a period of sixty days previous to the fraud, there were but four days only on which lord Cochrane did not hold stock for account. That on nineteen different days he held from 150,000*l.* to 175,000*l.*; that his general speculation during those sixty days was from 100,000*l.* to 150,000*l.*; and that on the day of the fraud he held 139,000*l.* only. That therefore it appears, that there was nothing in the stock transactions of lord Cochrane during the six days previous to the fraud, to distinguish them from his similar transactions during ten times that period, up to that day; and nothing on the face of those transactions to warrant the aforesaid observation of the said lord chief justice, so far as it applied to lord Cochrane, "that it appeared that they had been dealing in the funds with a view to that particular day."

That it further appears by the evidence of Mr. Fearn (page 168 and 170), that he did not see lord Cochrane on the 21st of February, and that for months previous to that day he had been directed to sell whenever he could obtain a profit of one per cent.; and it appears by the said accounts, that, conformably to such general order, the whole of the stock held by lord Cochrane was actually sold on an average at a gain of not more than one per cent. in consequence of the first rise in the morning, although it appears by the said minutes that a much more considerable rise took place after the arrival of M'Rae and others, in confirmation of the rumour spread by De Berenger. And by the said minutes (page 502) it appears that John Peter Holloway, one of the defendants at the said trial, and also a holder of stock on the 21st of February, gave directions to his broker, that the whole of the stock which he so held should be sold about the middle of the day.

That the said lord chief justice did not make any observation favourable to lord Cochrane upon any of the circumstances aforesaid; but by the said minutes (page 500) it appears he stated to the jury, that "for a length of time they all (meaning lord Cochrane as well as Mr. Johnstone and Mr. Butt) had their hands full of omnium and consols; and the omnium having obtained a price which would allow of a profit, all was sold; and the object appears to have been as much to raise the price a little, so as to get out without present loss, as to gain a profit;" and that he further observed, "It appears as if they not only were speculating on what they were buying, but they were speculating to such an amount, that unless they got rid of it, every one of them might be ruined; and they had determined, it should seem, on getting a profit of about one per cent., to sell the whole." And it further appears by the said minutes (page 501), that when stating the evidence of Mr. Bailey, of the Stock Exchange, he the said lord chief justice observed, "The gross amount of the balances of all three was 759,000*l.* omnium, and 278,000*l.* consols, which would make, he says, if the whole amount were reduced to consols and calculated as consols, 1,611,430*l.* three per cents. Of that quantity of stock they were holders on the 21st of February." That by these statements the respective amounts of stock held by the three defendants, and consequently the different degrees of supposed inducement to the conjoint commission of a fraud, were confounded, and the three defendants were all represented as equally involved, and in danger of being ruined by the magnitude of their speculations. That there was no evidence nor the slightest ground to infer a copartnercy between the three defendants; and it did not even appear that lord Cochrane had any knowledge of the magnitude of Mr. Johnstone's speculations, which, as aforesaid, were principally carried on by Robert Hichens, unemployed by, and as far as appears unknown to either lord Cochrane or Mr. Butt; and that the real amount of lord Cochrane's speculation was only about one twelfth part of the numerical quantity that was so held out by the said lord chief justice to the jury, and represented by him, without distinction, as an argument of guilt against the three defendants.

That by the observations aforesaid (page 500 of the said minutes) namely, "that it appeared that they were speculating with a view to that particular day," and that "they were speculating to such an amount, that unless they got rid of it, every one of them might be ruined;" the said lord chief justice inferred the guilt of the defendants from two several assumptions that were inconsistent with each other, the former allegation implying that the stock was purchased with a view to the fraud, and the latter, that the fraud was an afterthought to prevent being ruined by the stock. That the former, so far at least as regarded lord Cochrane, had no foundation in evidence, as before alleged; that the latter was equally inapplicable, not only because the amount of lord Cochrane's speculation was small in comparison with that of either of the other two defendants, Mr. Johnstone and Mr. Butt, but because it was actually less than his own account in many preceding instances; and also because it appears by the said accounts, that the result of his previous speculations in the funds between the month of October, when they first originated, and the tenth day of the said month of February, had been a gain of 4,781*l.* 17*s.* 6*d.*, and from the state of the funds at that time, a loss equal to such previous gain could not have been apprehended upon that single speculation. That such allegation was also unfounded, because as appears by the said accounts, he was enabled to sell, and did sell, on the 17th of February, the 50,000*l.* purchased on the day before, as aforesaid, at a clear profit of 155*l.*; and if he had then sold the remaining hundred thousand at the same rate (though purchased at a higher premium) the loss on the whole account would have been only 720*l.* or not one-sixth part of the previous gain; and also because on the 18th of February, it appeared that he again purchased 36,000*l.*, and that the loss on the previous balance, had it been sold at the average rate at which he bought on that day, would have been only 786*l.*, or not one-sixth part of the previous gain, and had it been sold at the highest rate at which he purchased on that day, the loss would have been no more than 220*l.*; and also because on the 19th of February, the loss on the 136,000*l.*, then held by lord Cochrane, if it had been sold at the rate at which he did sell 17,000*l*, part of the sum of 20,000*l.* which he purchased on that day as aforesaid, would have amounted to only an eighth, and according to the mode of calculation adopted by the Stock Exchange, with a view to exaggerate the gain on the 21st, to only one-twentieth part of the previous gain; and also, because he could not have been compelled to close the account till the 16th of March following (the settling day), a period of more than three weeks, and an opportunity to sell at a profit or an inconsiderable loss was reasonably to have been expected in the course of that time, and did actually and repeatedly occur, and particularly on the 24th of February when such amount, if it had been held till that day, and sold at the rate at which Mr. Butt did then actually sell, would have produced a profit of 1,988*l.* 15*s.*, being more than the profit actually produced on the 21st; and again on the 25th of February, if it had been held till that day, and sold at the rate at which Mr. Fearn then purchased for lord Cochrane, there would have been a profit of 598*l.* 15*s.*; and again on the 26th, if sold at the rate at which Mr. Butt sold on that day, the profit would have amounted to 1,293*l.* 15*s.*; that again on the 3d of March, at the rate at which Mr. Fearn purchased for lord Cochrane on that day, the result would have been a profit of 251*l.* 15*s.*; and on the 4th of March, at the rate at which Mr. Fearn sold for lord Cochrane on the morning of that day, the profit would have been 772*l.* 10*s.*; and had it been held till the very last moment, when the account must necessarily have been closed, namely, the 16th of March, the loss would not have amounted to a third part of the sum previously gained.

That by the minutes aforesaid (page 436), it appears, that the counsel for the prosecution alleged, that just one month after the 21st of February came the news of the rupture of the negociation at Chatillon, when the premium on omnium fell from 28 to 12 per cent., and that if that news had come instead of this false news, the loss of the three defendants would have been immense, and that therefore ruin stared them in the face, and instigated them to the commission of the fraud. That the fallacy of this extraordinary assumption and injurious argument, particularly in its application to lord Cochrane, whose amount of stock was comparatively small, and was not bought till the 14th and 16th of February, ought to have been pointed out to the jury, because there was no reason why lord Cochrane should have thought that the aspect of affairs was sufficiently favourable for the purchase of stock on those days, and yet sometime during the short interval between the 16th and 19th of February, have been seized with an apprehension that an event which was then generally thought improbable, and which did not occur till more than a month afterwards, would take place before he could by any fair means dispose of his purchase without being ruined by the loss; and because no such depression in the price of the funds had then taken place, as to render it at all difficult to have instantly made a fair disposal of the whole without any material disadvantage; and also, because the counsel for the defendants had truly stated (page 280) so far at least as applied to lord Cochrane and Mr. Butt, that his clients had continued their speculations subsequent to the 21st of February. And it appears by the accounts, that Mr. Butt on the 23d, and lord Cochrane on the 25th of February, made purchases in the funds to a considerable amount, when the rupture of the negociation at Chatillon was of course still nearer, and without the occurrence of any apparent event that rendered it less probable as it approached. That such fallacious and injurious argument of the counsel for the prosecution was brought forward in his reply, and when the counsel for the defendants had no opportunity of rebutting his additional arguments. And that the said lord chief justice, instead of supplying such disability of counsel, and representing the fallacy of the assertion, that ruin stared the defendants in the face, because of the eventual rupture of the negociation at Chatillon, did, as aforesaid, state to the jury, that unless the defendants had got rid of their stock, every one of them might have been ruined.

That it does not appear that Mr. Cochrane Johnstone made any purchases in the funds after the 21st of February; which seems to present another most important distinction between the circumstances of his case, and the cases of lord Cochrane and Mr. Butt.

That although lord Cochrane's subsequent speculation in the funds was closed, not only prior to the rupture of the negociation aforesaid, but early in the month of March, yet it was not so closed from any apprehension of that event, but, according to the representation of the broker, by the interference of the committee of the stock exchange, who, without any authority from lord Cochrane, and before any legal proceedings had been had against him, commanded the whole of the stock which he then held to be sold, when a considerable depression had taken place, and thereby occasioned a loss of 1050*l.*, although such stock would otherwise have been held longer, and might, and in all probability would, on a subsequent day have been sold at a profit.

That by the accounts rendered by Mr. Fearn to lord Cochrane, it appears that the gain on the stock sold for lord Cochrane on the 21st of February aforesaid, was only 1083*l.* 15*s.*, being, as appears by the accounts aforesaid, only 337*l.* 5*s.* more than he had gained on a single and smaller account on a former occasion. But by the evidence of Mr. Francis Bailey (page 186 of the minutes aforesaid) a witness on the part of the prosecution, who it appeared (page 166) had had access to Mr. Fearn's books, and who deposed, that he had calculated the profit from accounts furnished by him, the gain on the part of lord Cochrane was represented at the trial to have amounted to 2,470*l.*, being more than the true account, as rendered by the said Fearn to lord Cochrane, by the sum of 586*l.* 5*s.* That the fact that the amount of lord Cochrane's gain was injuriously exaggerated at the trial in the said sum of 586*l.* 5*s.*, is further apparent by the subsequent proceedings of the persons who instituted the prosecution, for by their report relative to the distribution of the money stopped on account of the fraud, it appears that they represented the loss on lord Cochrane's subsequent speculation at 1,636*l.* 5*s.*, although, according to the account rendered by the broker, it amounted to only 1050*l.* as aforesaid, whereby they added exactly as much to the subsequent loss as to the previous gain; and after alleging lord Cochrane's refusal to pay his subsequent loss, which as aforesaid they themselves had occasioned, and his insisting on its being deducted out of the previous gain which had been seized by their order, they were enabled, by so exaggerating the loss in the same degree as the profit, and paying the difference only to the charitable institutions, to evade the payment of the said sum of 586*l.* 5*s.*, for which their exaggerated representation of the profit at the trial, would otherwise have made them responsible.

That by the minutes aforesaid (page 169) it appears, that Mr. Fearn, on his cross-examination deposed, that a person who thinks the stocks may fall may sell stock which he has not previously bought, to any person who thinks they may rise; but that none of the three defendants had recourse to such practice on the day of the fraud. That the said lord chief justice objected to the last-mentioned evidence being given, observing, that it did not affect the charge, and that the sale of stock, not previously purchased, was not imputed to the defendants; and in his charge to the jury, he omitted to recapitulate the evidence so given, notwithstanding it was a circumstance of some weight in favour of the defendants, and particularly of Mr. Butt, who could not be supposed to be ignorant of the practicability of such transactions, and had, as appears by the accounts aforesaid, on other occasions, sold stock which he had not previously bought, and who, on the day of the fraud, if acquainted therewith, must have been aware that less was to be gained by that which he had previously purchased, than by selling unbought stock to a great amount at the momentary rise, and buying it in at the approaching depression. And that lord Cochrane was also apprized of the practice aforesaid, or that Mr. Butt had used it in his behalf, is shown by the aforesaid accounts, by which it appears, that on the 21st of December 1813, 25,000*l.* consols, not previously bought, was sold on his account, and bought in on the 23d at a profit; and also that on the 26th of January 1814, 20,000*l.* omnium, not previously bought, was sold on his account, and bought in at the same rate on the 28th following; but that it does not appear by the said accounts, that Mr. Johnstone was acquainted with, or availed himself of the practice in question.

That notwithstanding the loss of near 5000*l.*, sustained by Mr. Johnstone by the sale of omnium on the 16th of February, as aforesaid, through the agency of his private broker, Mr. Hichens, yet it appears that upon the whole account with that broker, between the 8th and 21st of February only, the balance of profit in his favour was 11,646*l.* 5*s.*, and was nearly equal to the collective profits of himself, Mr. Butt, and lord Cochrane, through the medium of their common broker, during the same period. And that upon the whole it abundantly appears, and did sufficiently appear at the trial, that the main interests of Mr. Johnstone in such transactions, were not only unconnected with those of either of the other two defendants, and far more considerable, but existed unknown either to lord Cochrane or Mr. Butt.

That therefore the said lord chief justice Ellenborough, in not distinguishing between the cases, and in authorizing the whole of the stock held by the three defendants to be added together and converted into consols, in order to magnify the numerical quantity; and in stating to the jury that of that quantity of stock, they (meaning lord Cochrane, Mr. Johnstone, and Mr. Butt) were holders on the said 21st of February; and that it appeared that they had been dealing in the funds with a view to that particular day, and that they were speculating to such an amount, that unless they got rid of it every one of them might be ruined; and in stating and acting as herein set forth, was and is guilty of misrepresentation and injustice.

Third Charge:—Of untruly alleging such a communication between lord Cochrane, Mr. Cochrane Johnstone, and Mr. Butt, as to render it impossible for the Jury to say from whom the Draft of 470*l.* and a fraction, or such part of its ultimate produce as was found in the possession of De Berenger, ultimately proceeded.

That by the minutes of the trial of Charles Random De Berenger, and others, for a conspiracy (page 480) it appears that the lord chief justice Ellenborough, in his charge to the jury, stated, that it was in evidence that when De Berenger was taken, there was found in his writing desk a number of one pound notes, part of the produce of the exchange at the bank of four 100*l.* notes, part of the produce of a draft of 470*l.* and a fraction. And that the said lord chief justice further observed, "Originally the 470*l.* draft had been laid down before and paid to lord Cochrane; it had afterwards got into the hands of Mr. Cochrane Johnstone and of Mr. Butt, for there appeared to be such a communication between the parties, that you cannot say from whom ultimately it proceeded, but it had been in some sort in the hands of all, and the produce of this check originally paid to lord Cochrane, is found in the desk of this man." That a part of this statement had no foundation in evidence, by which it did not appear that the said draft ever did get into the hands of Mr. Johnstone or of Mr. Butt, or ever was, in any sort, in the hands of either of those persons; nor did there appear to be such a communication between the defendants as to render it at all difficult to say from whom it ultimately proceeded. That on the contrary it appeared by the evidence (from page 230 to 238 of the said minutes) that such draft was drawn by Mr. Smallbone the broker, on Messrs. Jones and Co. on the 19th of February; that he gave it personally to lord Cochrane at the time; that his (Mr. Smallbone's) clerk or assistant took it on the same day to the bankers for payment, and returned to lord Cochrane with the produce, and that lord Cochrane dealt with such produce as his own money. That it appears by the said report (236 to 245) that on the 24th of February following, a note of 200*l.* and two notes of 100*l.* each, part of the produce of the said draft, were in the possession of Mr. Butt; that he caused them to be exchanged for notes of one pound each, and that he passed either the whole or a part of such one pound notes to Mr. Johnstone; that, therefore, if by the words "it had afterwards got into the hands of Mr. Cochrane Johnstone and of Mr. Butt," and "it had been in some sort in the hands of all," the said lord chief justice intended the produce of such draft, rather than the draft itself, it does appear by the evidence that the greater part of such produce did get into the hands of Mr. Butt, and was "in some sort in the hands of all;" but if such was his meaning, the words "There appeared to be such a communication between the parties that you cannot say from whom ultimately it proceeded," involve a very serious misrepresentation; because in that case those words can only refer to the actual payment to De Berenger; and imply that so far from there being a doubt that lord Cochrane was a party to such payment, it was just as likely that De Berenger received the notes directly from him as from Mr. Johnstone. Whereas there was not the slightest evidence, or reason to imagine, that any of the notes found in De Berenger's desk had ever been in lord Cochrane's possession, but on the contrary it appeared (page 238 and 244) that they were obtained from the bank on the 24th of February at the instance of

Mr. Butt, and that Mr. Butt on the same day delivered them either wholly or in part to Mr. Johnstone (page 244) and that Mr. Johnstone two days afterwards advanced money to De Berenger (page 364). That therefore there could be no doubt that the notes in question "ultimately proceeded" from Mr. Johnstone to De Berenger, and not from lord Cochrane, and that there was no evidence of such a communication between the parties as to render it difficult to say from whom they ultimately proceeded, and no evidence of any privity on the part of lord Cochrane to any such payment.

That by the minutes aforesaid (page 237) it appears, that evidence was offered on the part of lord Cochrane to show that 200*l.* part of the 400*l.* passed by him to Mr. Butt, was in payment of money borrowed on the 15th of February. That it appears (page 237 to 240) that the loan of 200*l.* from Mr. Butt to lord Cochrane on that day was circumstantially proved, inasmuch that it was shown that lord Cochrane had occasion to borrow money on that day, to make up a payment in the city; that he did borrow money of Mr. Smallbone and Mr. Lance, and that he wanted 200*l.* more; and that Mr. Lance on the same day heard Mr. Butt say, that he had lent it to lord Cochrane, and also that he was told so by lord Cochrane. That nevertheless it appears by the said minutes (page 239) that the said lord chief justice observed, "Then it comes to nothing;" and that in summing up the evidence (510) he observed, "It turns out that he only heard so, and did not see it lent." That the loan of 200*l.* from Mr. Butt to lord Cochrane on the 15th of February, has since been fully established by the stockbroker's account, by which it appears that the sum wanted by lord Cochrane was between three and four thousand pounds, of which Mr. Fearn advanced 2000*l.*, Mr. Butt 200*l*, and Messrs. Smallbone and Lance the remainder; and also that Mr. Smallbone, only two days afterwards, namely February 17th, sold stock and India bonds for lord Cochrane, for the express purpose of paying the various sums so borrowed; and that the draft aforesaid, dated February the 19th, for 470*l.* 19*s.* 4*d.* of which the principal part of the produce was afterwards in the hands of Mr. Butt, was the balance due to lord Cochrane after Fearn, Smallbone and Lance had been paid. That it appears therefore that Mr. Butt then remained to be paid, and by the said minutes (page 230) it appears, that Mr. Butt was present when Mr. Smallbone paid the draft to lord Cochrane, and that Mr. Lance (as aforesaid) took it for payment to the bankers, and returned to lord Cochrane with the produce. That these circumstances give the strongest probability to lord Cochrane's statement, that he did then immediately repay Mr. Butt the loan of 200*l.* by means of the two notes of 100*l.* each, part of such produce.

That the passage of the further sum of 200*l.* also part of such produce, into the hands of Mr. Butt, was not attempted to be explained on the part of lord Cochrane at the trial. And it is obvious that, if the 400*l.* which passed from lord Cochrane to Mr. Butt had been intended by lord Cochrane as a reward to De Berenger, he could not, in all ordinary probability, have forgotten the amount of the sum which he so paid for such a purpose, and could not have heard that the produce of notes proceeding from him had been found upon De Berenger, and would be alleged at the trial, without apprehending that the whole of the sum so applied would be called in question; and therefore, if he had provided a factitious defence against the alleged criminal application of money, he would not have limited such defence to 200*l.* when the accusation extended to 400*l.*, since it would have been as easy and feasible to have pretended a loan of 400*l.* from Mr. Butt, and its subsequent repayment, as of 200*l.* only.

That it now further appears, by a statement of Messrs. Wilkinson and Co. wine merchants, and by their bill for wine, shipped on account of lord Cochrane in his majesty's ship Tonnant, that such bill was paid on the 8th of March 1814, by the hands of Mr. Butt; and that the wine for which he so paid, had been ordered in his presence on the 19th of February, the day on which the aforesaid draft was paid to lord Cochrane; and also that Mr. Butt, on or before the 24th of that month, directed them to make out their bill, and expressed himself desirous to pay it as soon as the wine should be shipped; and that the said bill is dated the 24th, being the day on which Mr. Butt caused the 400*l.* produce of such draft, to be changed at the bank. That these circumstances accord with, and corroborate the statement of lord Cochrane, that 200*l.*, part of such produce, was part of the sum of 1200*l.* advanced by him to Mr. Butt, for the payment of his ship bills.

That if there existed such a communication between the defendants, as was alleged by the said lord chief justice as aforesaid, particularly in pecuniary matters, it was more probable that the money paid by Mr. Johnstone to De Berenger, might be traced back to Mr. Butt or lord Cochrane, without both or either of them being privy to the ultimate payment, than that three parties to a criminal transaction, should have determined that the reward of their agent should pass through the hands of them all.

That therefore the said lord chief justice Ellenborough, at the trial aforesaid, in stating to the jury, in reference to the aforesaid draft or the produce thereof, that there appeared to be such a communication between the parties (meaning lord Cochrane, Mr. Johnstone, and Mr. Butt) that they could not say from whom ultimately it proceeded, and in stating and acting as hereinbefore set forth, was and is guilty of misrepresentation and injustice.

Fourth Charge:—Of unwarrantably insinuating that a connexion between lord Cochrane and the Bank notes found in De Berenger's possession, had been proved by evidence, and expressly instructing the Jury to consider as a circumstance against lord Cochrane, the evidence given, in order to prove such a connexion; and unjustly evading the consideration whether the evidence so given, was not negatived by evidence to the contrary, and particularly by the evidence of a Memorandum found in the hand-writing of De Berenger.

That by the minutes of the proceedings at the trial of Charles Random De Berenger, and others, for a conspiracy (page 49, 50, 223, 224, and 225) it appears, that a memorandum written by De Berenger in a book that was found in his letter-case, was offered in evidence by the counsel for the prosecution, and interpreted by him to have been the heads of a letter from De Berenger to Mr. Johnstone, and to indicate that De Berenger's compensation was a per-centage on the gains of Mr. Johnstone and of Mr. Butt. That such memorandum was read as follows: "To C. J. by March 1st, 1814, 350*l.*; 4*l.* to 5,000, assign one share of patent, and 1,000*l.* worth shares of In. de Beaufain at Messrs. H. to their care. Believe from my informant 18,000*l.* instead of 4,800*l.* suspicious that Mr. B. does not account correctly to him as well as me. Determined not to be duped. No restrictions as to secrecy; requesting early answer."

That it further appears (page 234 and 235) that Mr. Johnstone in a letter to the committee of the Stock Exchange, dated March 14th, 1814, had represented lord Cochrane's gain on the 21st of February, to be 1,700*l.* that of Mr. Butt 1,300*l.* and his own at 3,500*l.* and that the two latter sums, making together 4,800*l.* were interpreted to have been alluded to in the aforesaid memorandum, wherein were the words and figures "Believe from my informant 18,000 instead of 4,800." And it was not pretended that any allusion to lord Cochrane, or to the amount of his gain, was contained in such memorandum, which was interpreted to purport that De Berenger's compensation was a per-centage on the gains of Mr. Johnstone and Mr. Butt only, and that he believed such gains to have been more than they had represented them to be.

That by the said minutes (page 186) it appears that the amount of Mr. Johnstone's gain on the 21st of February, according to the calculation given in evidence on the part of the prosecution, was 4,931*l.* 5*s.* and therefore, that it is not necessary to include any estimate of the gains of Mr. Butt, in order to arrive at the sum of 4,800*l.* mentioned in the said memorandum. But that if the said memorandum related to the fraud of the 21st of February, and was correctly interpreted at the trial, no reason is apparent why De Berenger should not have expected a per-centage on the gains of lord Cochrane as well as on those of either of the other defendants, if he (lord Cochrane) was *particeps criminis*, or why he should have relinquished his claim on lord Cochrane, at the same time that he was disputing the gross amount of the sum on which he was to be paid, and expressing his belief that it was much below the reality, and his determination not to be duped. That therefore in the same degree that this piece of evidence was calculated to operate against Mr. Cochrane Johnstone, it ought to have operated in favour of lord Cochrane, and is in fact the strongest evidence to that end. That it appears that the counsel for lord Cochrane was also of counsel for Mr. Cochrane Johnstone, and that he could not, consistently with his duty to the latter, point out to the jury this most important distinction in favour of the former; and that he made no further observation upon it (page 224) than that it could not be evidence against the Cochranes; on which it appears that the lord chief justice Ellenborough observed, "No, if it was transmitted by him in writing to the others, it would be evidence against them; but it purports to be only a memorandum of his own." That if such memorandum was considered by the jury to be the heads of a letter to Mr. Johnstone, as interpreted and not disputed at the trial, they could not be supposed to doubt that such letter was transmitted or intended for transmission; and therefore that the operation of such memorandum on the mind of the jury against Mr. Johnstone, must have been as strong as if a letter to the like effect had been produced, and proved to have been transmitted. That it appears therefore that such memorandum was virtually admitted as evidence, and operated as such against Mr. Johnstone, without being subjected to such observations as it ought to have suggested in favour of lord Cochrane; and that the observation of the said lord chief justice, that if it was transmitted by De Berenger in writing to the others, it would be evidence against them, without expressing any distinction in favour of lord Cochrane, was far from being calculated to supply the aforesaid disability of counsel, and to impress upon the jury the important fact, that the paper in question could not be more hostile to Mr. Johnstone than it was favourable to lord Cochrane. That the possibility of such a memorandum, or of a letter of which it was interpreted to be the heads, having been transmitted in writing to lord Cochrane, ought not to have been supposed, since it was evidently not intended for him, and had no reference either to him or to his affairs; and that no contingency under which it might have been evidence against him could fairly be imagined; and that if evidence at all, it was decidedly in his favour.

That by the said minutes (page 487) it appears that the said lord chief justice expressly stated to the jury, that they were to take into their consideration, as a circumstance against lord Cochrane, "the evidence given in order to prove a connexion with the notes afterwards found in De Berenger's desk." Whereas the evidence so given did not prove any such connexion; but proved only that the notes so found were the produce of other notes that had once been in lord Cochrane's possession; and that the evidence so given did not afford so strong a presumption of such a connexion, as the aforesaid memorandum in De Berenger's hand-writing, according to the uncontradicted interpretation it had received, did to the contrary. That therefore the said lord chief justice Ellenborough, at the trial aforesaid, in instructing the jury to consider, as a circumstance against lord Cochrane, "the evidence given in order to prove a connexion with the notes found in De Berenger's desk," without desiring them to consider whether the presumption offered by that evidence of such a connexion, was not counterbalanced and done away by the evidence of the memorandum aforesaid, and in stating and acting as herein set forth, was and is guilty of partiality and injustice.

FIFTH CHARGE:—Of untruly and repeatedly insinuating to the jury, that lord Cochrane, in disclosing the name of De Berenger, was influenced by an opinion that he had quitted the kingdom.

That the lord chief justice Ellenborough in his charge to the jury, at the trial of Charles Random De Berenger and others, for a conspiracy, as appears by the minutes of the said trial (page 479), commented on an affidavit made by lord Cochrane on the 11th of March, 1814; and that among other observations, he made the following: "now it is material to observe, that this affidavit first introduced the name of De Berenger into any public document; whether it was known privately at any earlier period, we are not informed;" and that the said lord chief justice further observed, "he appears to have very soon got to Sunderland, and might on the 11th of March, the date of this affidavit, be reasonably supposed to have been out of the kingdom." That by the former observation, it was insinuated that lord Cochrane did not give up the name of De Berenger until it was probable that it had been previously privately communicated; and by the latter that lord Cochrane purposely delayed the disclosure in order to give De Berenger time to escape. That to impress a belief of these suppositions on the minds of the jury, would have been sufficient for lord Cochrane's conviction; whereas on the contrary, in having been the first to make the disclosure, and having done so at the earliest possible period, he gave the strongest indications of innocence.

That by the minutes aforesaid (page 30) it appears, that it was stated by the counsel for the prosecution, that the committee of the Stock Exchange had private information that Du Bourg really was De Berenger, but not having any positive proof, they had said nothing upon the subject. That it appeared, therefore, that lord Cochrane could have had no reason to believe that he was not the first person who made the communication. And with respect to the fact of De Berenger being the individual who went to lord Cochrane's house, it does not appear that it could have been previously divulged by any other person, unless by De Berenger himself or his accomplices.

That the other insinuation, that lord Cochrane purposely delayed the disclosure, to give time to De Berenger to escape, was again repeated, as appears by the minutes aforesaid (page 480), the lord chief justice having observed, that "the affidavit was, as I have already stated, sworn March 11th, 1814, by which time it might well be supposed, that De Berenger, if he had made proper speed, had got out of the kingdom;" and that again, when stating the evidence of Mr. Wright, who had deposed (page 199) that lord Cochrane, on giving the affidavit to be printed, observed, that he had no reason to think that De Berenger was capable of so base a transaction, but if he was, he had given the Stock Exchange the best clue to find him out. The lord chief justice remarked (page 503) "he had given them a clue, by giving his name in the manner he has done in the affidavit; but it would have been very ineffectual, if De Berenger had carried away his own person previous to that; but it was by accident that he was found at Leith." That the said lord chief justice did not at all advert to the obvious fact, that lord Cochrane, if innocent, could not be conscious that he had any thing to disclose until he was apprized that he was an object of suspicion. And by the first sentence of the said affidavit, as recited by the said lord chief justice (page 480), it appears that lord Cochrane, on the 21st of February, was on leave of absence from the ship which he had then been appointed to command; and by a short statement introductory to the affidavit, which was also recited as evidence by the said lord chief justice, it appeared that he had again obtained leave of absence to come to town, in consequence of paragraphs in the public papers, and of having learnt that hand-bills had been affixed in the streets, in which it was asserted, that a person had been traced to his house who had committed a fraud; and it was thereby in evidence, that between the 21st of February and the 11th of March his first leave of absence had expired; and that it was not until after he had rejoined his ship, that those paragraphs and hand-bills appeared, by which he first learnt that he was suspected of being a party to the fraud that had been committed; and it was evident that a portion of time was requisite for the receipt of the information, obtaining leave of absence, returning to town, and preparing and making the affidavit. That the statement of lord Cochrane, that he was so first apprized of the suspicion against himself, when absent from London, by means of paragraphs in the newspapers, and having heard that advertisements had been posted as aforesaid, was uncontradicted by evidence; and no paragraph, advertisement, or publication on the subject, mentioning lord Cochrane's name or residence, or so worded as that he, if innocent, could possibly have understood it to apply to himself, appeared earlier than the 7th of March, with the exception of a paper dated Committee Room, March 4th, which was said to have been affixed either on that day or the day following within the private hall at the Stock Exchange, but which did not appear in the daily prints till the 7th of March aforesaid.

That by a further affidavit of lord Cochrane, sworn in court on the 14th of June following, and read in evidence on his making application for a new trial (page 563 of the minutes aforesaid), it appeared that he had rejoined his ship at Long Reach as early as the 1st of March, his leave of absence having expired the day before, and that it was not till the 8th of that month that he first received the information in question, and that he made immediate application for leave of absence in consequence. That it therefore appeared, that no avoidable delay had occurred between the publication of lord Cochrane's name, and the publication of his affidavit giving up the name of De Berenger; and consequently, that the insinuation aforesaid was injurious and unfounded; but that neither the last-mentioned evidence, nor any of the additional evidence then offered, had the effect of obtaining for lord Cochrane, from the said lord chief justice, that revisal of his case for which he then made application.

That it is still further proved, and was further proved at the trial, that the said lord chief justice had no just ground to conjecture that lord Cochrane gave up the name of De Berenger, under the impression that he was out of the kingdom, because it was in evidence (page 222), that he was not apprehended until the 8th day of April, being a period of four weeks after the publication of lord Cochrane's affidavit; and it was not in evidence that he had made any attempt to quit the kingdom up to the day on which he was so apprehended; and because it was evidently unfair and unreasonable to imagine that lord Cochrane could be fraudulently connected with him, and yet so ignorant of his movements as not to know on the 11th of March, that he was not out of the kingdom; and also because the counsel for the prosecution offered evidence (page 224), that De Berenger after quitting London, continued to correspond with Mr. Cochrane Johnstone, and because the evidence so offered, which he asserted (page 50) was evidently the heads of a letter which De Berenger had written to Mr. Johnstone, was not of any letter engaging to quit the kingdom, but on the contrary indicative of his intention to remain in it, as it expressed his suspicion that the greater part of his stipulated reward had been withheld, and his determination not to be duped; and that, therefore lord Cochrane, if privy to the receipt of any such letter, or if he himself received any similar communication from De Berenger, one or both of which must necessarily have been the case, if he at all was a party concerned, must have given up De Berenger's name, not as represented to the jury by the said lord chief justice, under the impression that De Berenger was out of the kingdom, but with the certain knowledge, or strongest reason to believe, that he was not out of the kingdom; and not only so, but must have done so at the risk of his utmost resentment, when it was already kindled by a suspicion that his fraudulent services were not faithfully remunerated, which would have been, and ought to have appeared to the said lord chief justice, a very improbable proceeding.

That for all these reasons, it abundantly appears, and did sufficiently appear at the trial, that lord Cochrane in giving up the name of De Berenger, was not influenced by any conjecture that he was then out of the kingdom; and that the said lord chief justice Ellenborough, in not only denying to lord Cochrane the benefit of that most important testimony in his favour, that he was the person who gave the clue to the discovery of the principal agent in the fraud, but in converting the date of that disclosure into evidence of guilt, by repeatedly stating to the jury, that De Berenger at that time might well be supposed to be out of the kingdom, and thereby insinuating that lord Cochrane had purposely delayed such disclosure until he imagined that De Berenger had made his escape, was and is guilty of misrepresentation and injustice.

SIXTH CHARGE:—Of unwarrantably and untruly insinuating to the Jury, that the reason assigned by Lord Cochrane, for obtaining leave of absence in February 1814, was introduced by him as a colour to draw off their attention from other matters.

That an affidavit made by lord Cochrane, one of the defendants at the trial of Charles Random de Berenger and others, for a conspiracy, bearing date the 11th day of March 1814, was produced in evidence by the counsel for the prosecution (as appears by the minutes of the said trial, page 201,) and that it began by stating, that he lord Cochrane had been appointed by the lords commissioners of the Admiralty to active service, when he had no expectation of being called on, and that therefore he obtained leave of absence to settle his private affairs, and chiefly with the view to lodge the specification of a patent. That the lord chief justice Ellenborough, as appears by the said minutes (page 481), after reciting the first clause in the said affidavit, being in substance as aforesaid, stated to the jury, "There is no doubt that patent exists, and that there is a true transaction as to the patent; but whether it be introduced here as a colour, and to draw off your attention from other matters, is another point." That by such observation it was insinuated, that the object of lord Cochrane in obtaining leave of absence was not such as he assigned; and that it was not so much to lodge a specification to a patent as to assist in a fraud. That it appears by the minutes aforesaid (page 345), that lord Cochrane was daily occupied on the affair of the said patent, and on the subject of the invention for which it was granted, not only after leave of absence was obtained, but for several months previous to his appointment to a ship, and that he was actually so engaged on the day of the fraud; and also (page 351), that the said specification was not completed till the 28th of February, being one week after that day, and the very day on which his said leave of absence expired. That it is well known, and particularly to men in judicial situations, that a patent is void unless a specification is enrolled within the period of six months after it is obtained, and that it cannot be completed without the personal attendance of the patentee. That therefore, if lord Cochrane had proceeded to America on active service, without first obtaining such leave of absence, and preparing and lodging such specification, he would in all probability have forfeited a right which it appeared from the evidence he was anxious to secure. That for these reasons it appears, and did appear at the trial, that lord Cochrane assigned a sufficiently probable and perfectly correct motive for being absent from the ship at the period of the fraud, and that there was no just cause to insinuate, that such assigning was introduced as a colour to draw off the attention from other matters.

That notwithstanding, the said lord chief justice did, as aforesaid, in his charge to the jury, insinuate that the motive so assigned by lord Cochrane was introduced as a colour, he gave no previous indication of such a suspicion, and did not attempt to ascertain whether it had any foundation, although the first lord of the Admiralty was a witness at the trial, and could probably have stated, not only the grounds assigned by lord Cochrane at the time for requesting leave of absence, but at what time and for what period such application was first made. That the first lord of the Admiralty could have shown that lord Cochrane addressed a letter to the secretary of the Admiralty, dated February 5th 1814, in answer to an official letter from the said secretary, announcing his appointment to the command of the Tonnant, and did thereby apply for leave of absence previous to joining the said ship, for the period of ten or twelve days only, for the purpose of guardedly drawing up the specification of a patent for a discovery which had occupied his attention for twelve months past, and which specification when finished, he was to acknowledge personally before a master in chancery. And that the secretary of the admiralty addressed a further letter to lord Cochrane, dated February 7th, in reply to the said application, informing him that he was required to join the said ship immediately, and that after arriving at Long Reach, leave of absence might then be granted. And therefore it appears, and might have appeared at the trial, that if leave of absence had been granted on the 5th, in compliance with lord Cochrane's first request, he in all probability on the 21st of February, and for some time prior thereto, would have been on board the said ship, and would not have been seen or found by De Berenger on that day. That the jury therefore ought not to have been told that the reason so assigned might be introduced as a colour to draw off their attention from other matters; but it was itself a matter which, in justice to lord Cochrane, ought to have been impressed on their particular consideration. And that the said lord chief justice Ellenborough, at the trial aforesaid, in insinuating to the jury, that the transaction, as to the patent, had been introduced by lord Cochrane to draw off their attention from other matters, was and is guilty of misrepresentation, partiality, and injustice.

SEVENTH CHARGE:—Of misrepresenting the disclosure voluntarily given by lord Cochrane, on the subject of his seeing and being in the company of Mr. Cochrane Johnstone and Mr. Butt, on the morning of the 21st of February; and unwarrantably applying it as evidence, that they met together to communicate on some business in common to be transacted that day.

That by the minutes of the proceedings at the trial of Charles Random de Berenger and others, for a conspiracy, it appears that lord Cochrane, one of the defendants at the said trial, stated in an affidavit, dated March 11th, 1814, that, on the morning of the 21st of February preceding, he went to breakfast with Mr. Cochrane Johnstone, because he knew that Mr. Johnstone was in the habit of going in a coach every morning into the city, where he, lord Cochrane had occasion to go, pursuant to his daily practice of superintending work that was executing for him at a lamp manufactory, near Snow-hill; and that he accompanied Mr. Johnstone (Mr. Butt also being in the coach) as far as Snow-hill accordingly. That the lord chief justice Ellenborough, as appears by the said minutes (page 481), after reciting that clause in the said affidavit, which was in effect as aforesaid, proceeded to comment thereon, and observed, "Therefore these three gentlemen, who had so much to do on that day, were brought together, and had an opportunity of communicating together, at least at this time. They go on to the city together, after having, it may be supposed, had so much of communication together as was necessary for the current business of the day, whatever that business was." That it therefore appears, that the said lord chief justice passed over the motive assigned by lord Cochrane for visiting Mr. Johnstone on the morning aforesaid, namely, an opportunity of a conveyance into the city, and inferred, that the real motive was, the necessity of communicating together on some business in common that was to be transacted that day, which he thereby insinuated was the fraud on that day committed. That the said lord chief justice had no ground to conjecture, that it would ever have been known by what means, or in whose company lord Cochrane arrived at Snow-hill on the morning in question, if he himself had not voluntarily related the circumstances; and if he, lord Cochrane, had felt them to be suspicious, it does not appear that he was ever under the necessity of revealing them, or that he could have apprehended when he made the affidavit, that any person would inquire by what means he performed the journey from his house in Green-street to the said lamp manufactory, and that it would have been sufficient to have entered at once on the narrative, by simply stating that he went there. That, therefore, the said lord chief justice had no just reason for instructing the jury to give credit to so much of lord Cochrane's voluntary disclosure, as stated that he visited Mr. Johnstone in the morning, and at the same time to discredit that other part of the same statement, which shows that he so visited Mr. Johnstone, not for the purpose of communicating on any business in common, but solely for the convenience of being conveyed in Mr. Johnstone's vehicle to the place where his own separate and immediate business lay. That it was abundantly proved (page 345, 348, 165), that lord Cochrane had such separate business to transact, and that he went to the place where such business was transacted, and no further. And it was also in evidence (page 204), that the stock sold for lord Cochrane was in pursuance of an order given at the time it was bought, similar to a general order long previously given (page 168) to sell at a specified profit; and therefore that no stock was sold for lord Cochrane on that day, which would not have been sold, and equally advantageously, whether he had seen Mr. Johnstone or Mr. Butt in the morning or not. That therefore the said lord chief justice Ellenborough, at the trial aforesaid, in discrediting the motive assigned by lord Cochrane for his visit to Mr. Johnstone on the morning of the 21st of February, and insinuating, without any foundation in evidence, that it was for the purpose of communicating on some business in common that was to be transacted that day at the Stock Exchange, or in pursuance of the fraud thereon, was and is guilty of misrepresentation, partiality, and injustice.

EIGHTH CHARGE:—Of unwarrantably controverting the declaration upon oath of Lord Cochrane, that the note received by him on the 21st of February was signed close to the bottom, and that he could not read the name; and of repeating with commendation the fallacious argument of the Counsel for the Prosecution that the name could not be written at the bottom, because the writer after closing the note, opened it again and wrote something more.

That by the minutes of the proceedings at the trial of Charles Random de Berenger, and others, for a conspiracy, it appears that lord Cochrane, one of the defendants at the said trial, stated in an affidavit, dated March 11th, 1814, that on the morning of the 21st of February preceding, "he had been about three-quarters of an hour at Mr. King's manufactory, when he received a few lines on a small bit of paper, requesting him to come immediately to his house; the name affixed, from being written close to the bottom, he could not read." That it further appears by the said minutes (page 442), that the counsel for the prosecution, in his reply, and when the counsel for lord Cochrane had no opportunity of rebutting his additional arguments, denied that the signature was written close to the bottom, because it was in evidence (page 349), that the writer of the note, after closing it, opened it again, and wrote something more. That the lord chief justice Ellenborough, as appears by the said minutes (page 481) instead of supplying the aforesaid disability of lord Cochrane's counsel, by cautioning the jury against so fallacious an argument, and reminding them that something more might have been written in some other corner of the paper, and not immediately under the signature, or that it might even have been written across, or on the other side of the paper, repeated it with commendation as follows: "That was certainly a very pointed observation which was lately addressed to you by the learned counsel for the prosecution, that the name which lord Cochrane says he could not read, would not in all probability have been written at the bottom, for he had finished the note once, and there was space enough still left for him to write something more, for the servant says he added something more afterwards, therefore it was not from its being crowded at the bottom, unless it be that he had not signed any name till quite the last, and after he had written the addition which the servant mentions." Whereas it did not appear in evidence on what part of the paper De Berenger wrote after he re-opened the note; and therefore the signature might have been crowded at the bottom, whether written prior to, or after the addition in question. That the observation of the counsel for the prosecution, so repeated with commendation by the said lord chief justice, had been offered as a conclusive argument that lord Cochrane knew from whom he received that note, and had sworn falsely in stating that he did not, and was, if admitted as such by the jury, alone sufficient for lord Cochrane's conviction. That therefore the said lord chief justice Ellenborough at the trial aforesaid, in not only omitting to expose the fallacy of so injurious an argument, but in repeating it with commendation, was and is guilty of partiality, misrepresentation, and injustice.

NINTH CHARGE:—Of repeatedly, unwarrantably, and unjustly representing to the Jury, that the reason assigned by Lord Cochrane, upon oath, for returning home in consequence of the note he received on the 21st of February, was unworthy of credit, because he did not communicate it to the servant who brought the note.

That by the minutes of the proceedings at the trial of Charles Random De Berenger, and others, for a conspiracy, it appears that lord Cochrane, one of the defendants at the said trial, stated, in an affidavit dated March 11th, 1814, that on the 21st of February preceding, he received a note at Mr. King's manufactory, the signature to which being written close to the bottom he could not read; that the servant told him it was from an army officer, and concluding that he might be an officer from Spain, and that some accident had befallen his brother, he hastened back, and found captain De Berenger. That the lord chief justice Ellenborough, as appears by the said minutes (page 482) after reciting the last-mentioned clause in the said affidavit, proceeded to comment thereon, and that he observed to the jury, "now certainly his anxiety about his brother, if true, was a very good motive for his returning; but I addressed some questions to the witness on this subject, and thought it very likely, if that was the motive which induced lord Cochrane to return, that he should have disclosed that motive to the person who brought the note, especially as he was a servant who had been seventeen years in the family, nothing could be more natural than to say, "Thomas, I hope there is no bad news from my brother, your old master;" no such thing passes, but "well, Thomas, I will return," is all that he says to him; he does not mention any thing about any apprehension as to his brother." That it appeared by the said minutes (page 350) that Thomas Dewman, the bearer of the note, when questioned by counsel, whether his service in the family had not been chiefly with lord Dundonald, answered, "Yes, and with two of his sons." And that the said lord chief justice did, as stated by him in his charge to the jury, put some questions to the witness, and ascertained from him, that one of the persons on whom he had so attended was lord Cochrane's aforesaid brother, major Cochrane, having attended on him when he first went into the army; but the said lord chief justice did not then ask him whether he had been in his peculiar service? That, if that question had been put, it would probably have appeared, that the said servant never was, at any period, in the peculiar service of major Cochrane, but attended on him incidentally when a youth, residing in London with lord Dundonald, previous to his entrance into the army. That although it appears by the said minutes (page 347) that the said servant, in answer to the question of counsel, "have you been an old servant in the family?" said, "I have been so for about seventeen years;" yet, as the question so put was not "how long have you lived in the family?" it evidently applied to the period at which his service in the family commenced; and although the said lord chief justice did as aforesaid address some questions to the witness, yet he did not, when so questioning him, inquire whether his aforesaid answer had reference to the duration of his said service, or to its commencement only.

That by the said minutes (page 350) it appeared, as aforesaid, that the servant's attendance in the family had been chiefly on lord Dundonald and two of his sons, one of whom, as aforesaid, was lord Cochrane's said brother, major Cochrane, and the other colonel Cochrane, not lord Cochrane himself, who was evidently not the other person to whom the said witness alluded, because he also deposed, that he had been engaged with lord Cochrane only since last February, meaning February 1814, so that he had not lived with lord Cochrane more than three weeks prior to the delivery of the note from De Berenger.

That the said lord chief justice, as appears by the said minutes (page 351) asked the said servant whether he knew major Cochrane, and that he replied, "Yes, I attended on the major when he first went into the army;" but the said lord chief justice did not then ask him how many years had elapsed since that period; although it was obviously probable that many years had elapsed since major Cochrane first entered the army, when the said servant last attended on him, and not at all improbable that he had never seen him from that period up to the moment that he delivered to lord Cochrane the note in question: and therefore that the sudden impression that some accident had befallen his brother, alleged by lord Cochrane to have been made on his mind when he received the said note was not the less probable from not being accompanied by the recollection (even if the previous knowledge were admitted) that the bearer of the note had formerly attended on him.

That the said lord chief justice did not only as aforesaid abstain from asking the servant how many years had elapsed since he attended on major Cochrane, but he also omitted to inquire whether he knew or believed that lord Cochrane was at that time in England, or had any opportunity of knowing that he had so attended on his said brother; although it was well known to the said lord chief justice at the trial that lord Cochrane was an officer in the navy, and had passed many years of his life at sea, and that it was extremely probable that at the period when the servant first attended in the family, and during the period that he so attended on major Cochrane, lord Cochrane himself was in another part of the world, and might never have known or heard that such servant had ever at any period attended on, or even known or seen major Cochrane, particularly as it was in evidence as aforesaid (page 350) that he had only lived in the service of lord Cochrane himself during that said month of February.

That therefore the circumstance of lord Cochrane not communicating any apprehension relative to his brother to the bearer of the note, of whose personal knowledge of his brother the said lord chief justice had no reason to believe that he had any information, was no just or probable reason for discrediting the solemn statement of lord Cochrane on oath, that he acted under the influence of such an apprehension.

That although it be true, as aforesaid, that lord Cochrane did not disclose the impression under which he returned home to the servant who brought the note, and that the said lord chief justice did (as afterwards stated by him to the jury) address some questions to the witness, yet the said lord chief justice did not directly ask the witness whether lord Cochrane disclosed any motive for returning, nor whether he inquired of the said servant who the person was that sent him, and neither sought to obtain the entire truth, by close and particular questions, nor by expressly requiring him to state minutely all that occurred on the occasion, and that the imperfect evidence so obtained was not such as to justify the use afterwards made of it by the said lord chief justice, and was by no means conclusive that lord Cochrane said nothing more to the witness than that he would return. That by an affidavit made by the said witness subsequent to the trial (as referred to at page 558 of the minutes aforesaid) and offered in evidence on the part of lord Cochrane on his application for a new trial, but rejected by the said lord chief justice, it appears that lord Cochrane, on perusal of the note aforesaid, did ask the servant several questions. That it was not until lord Cochrane had first asked who sent the note, and what he wanted, and the servant had answered, he never saw him before, and that he did not say what he wanted, but that he thought he was an army officer; that lord Cochrane concluded by saying, "then I will return." That lord Cochrane therefore asked such questions as were natural for an innocent man to ask, and received such answers as were likely to excite or confirm an apprehension that the writer was an officer from Spain with intelligence from his brother.

That by the minutes aforesaid (page 351), it appears that the first interrogatory addressed by the said lord chief justice to the witness aforesaid, on the subject in question, was "What did lord Cochrane say or do when you gave him this note?" That such question was too general to impress the witness with an opinion that he was required to detail the conversation that then passed between him and lord Cochrane. And by the said minutes (page 349) it appears that he had previously been checked by counsel when attempting to enter into detail, and not confining himself to a short answer to the question put. That the said witness in answer to such general question of the said lord chief justice, without stating that lord Cochrane retired into the passage of the manufactory to read the note (as previously deposed by Mr. King, page 346, or even that he read it at all, merely replied, "He said then I must return," and thereby evidently gave the result, rather than the particulars of what lord Cochrane said and did on the occasion. That the said lord chief justice did not then put the question "Were those the first and only words used by lord Cochrane after perusing the note?" but rejoined, "That was all that he said?" as if it had been intended to make it appear that he said nothing else, rather than to ascertain with precision all that he really did say. That the witness then said (according to the minutes aforesaid) "Yes, I saw him come out of Mr. King's;"—which latter words, if they were all that he then proposed to utter, had no connexion with the question, and were inconsistent with a former answer (page 349), that he left lord Cochrane at Mr. King's. But that if the said witness was then desirous to have said (as subsequently stated by him) that he saw lord Cochrane come out of Mr. King's warehouse into the passage of the manufactory, when he entered with the note in question, and to have gone on to state all that then followed, the words so used were relevant and consistent. But the said lord chief justice did then instantly proceed to ask the witness, whether he knew the different members of the family, and whether he knew the major? in order, as it might appear, to provide himself with the fallacious argument aforesaid; namely, that if lord Cochrane had conceived that the writer of the note was the messenger of ill news concerning his brother, the witness being acquainted with him, was a person to whom he would have communicated his apprehensions.

That by the evidence of Mr. King, in whose presence the servant delivered the note to lord Cochrane (page 346 of the minutes aforesaid) it appeared, that, after opening the note in the workshop, lord Cochrane retired into the passage of the manufactory to read it, and that he came into the workshop again: that it appeared, therefore, that Mr. King remained in his workshop while lord Cochrane was reading the note in the passage; that the servant naturally followed lord Cochrane into the passage to receive his answer, as was his duty; and Mr. King as naturally remained behind in his workshop, as it was not his duty to do otherwise. That although it appeared, both from the evidence itself and the reason of the thing, that Mr. King did not follow lord Cochrane into the passage, and could have had no opportunity of hearing what lord Cochrane said to the servant on perusal of the note, the said lord chief justice (as appears by the minutes aforesaid, page 346) seemingly considered him a competent witness, as he thus interrogated him: "He made no observation upon reading it?" and notwithstanding the witness replied, "No, not that I heard," the said lord chief justice did not then ask him whether observations might not have been made without his hearing them, but almost immediately repeated the same question "His lordship did not make any observation upon reading it?" that the witness then replied, "No, I think only that he said, very well Thomas," being the words used by lord Cochrane, not after reading the note, but immediately on receiving it from the servant, when Mr. King, was present as aforesaid. That the words, "very well, Thomas." deposed to by Mr. King, who was examined first, and the words, "then I must return," afterwards deposed to by the servant, were entirely different; because the former were used on receiving the note, and the latter was the concluding observation made by lord Cochrane after perusing it. That the said lord chief justice endeavoured to reconcile the two expressions, and make them both relate to the same period, by joining them together, and concluded his examination of the servant by exclaiming, "All that lord Cochrane said was, 'well, Thomas I will return;'" and thereby the said lord chief justice did not only obtain the evidence of two witnesses, that lord Cochrane said but little on the occasion, but made them appear to agree as to what that little was. That again, on stating Mr. King's evidence to the jury, (page 515 of the minutes aforesaid) the said lord chief justice persevered in representing him as a witness to what passed after perusal, and observed, "Lord Cochrane only said, 'very well, Thomas,' not making any observation expressive of anxiety as to his brother."

That the said lord chief justice, as further appears by the minutes aforesaid (page 482) continued to comment upon the clause before recited of lord Cochrane's aforesaid affidavit, and observed that "his brother, as appears by the returns which have come home, had been wounded or was upon the sick list; but it does not appear that he had then actually received any communication upon that subject; and which if he had received any such, might have been expected to be proved, and might easily have been so. That his brother was in fact upon the sick list appears, but not that he then knew him to be so, nor did he intimate to the servant that came, one word of apprehension about his brother, or any mention of his health, or of him, but came back immediately on receiving this note." That by these observations the said lord chief justice very pointedly marked the distinction between evidence of a fact, and evidence of lord Cochrane's knowledge of that fact, and expressly cautioned the jury against the supposition that the evidence of lord Cochrane's brother being on the sick list, was any proof that he then knew him to be so. That the said lord chief justice was equally aware that evidence of the servant having attended on lord Cochrane's brother when he first went into the army, was no proof that lord Cochrane himself ever knew that he did so; and that it did not furnish any foundation for the argument that the sudden impression of being about to hear distressing or fatal intelligence of his brother, would have been accompanied with the recollection that the servant, then attending on himself, had attended on his brother many years before.

That although it be true that proof of the fact of lord Cochrane's brother being then on the sick list, was no proof that lord Cochrane then knew him to be so, yet it was proved at the same time (as appears by the minutes aforesaid, page 347) that the date of the return in which his said brother's illness was reported, was the 25th of January, and that it was received in the regular course, and therefore might be supposed to have arrived from France a fortnight or even three weeks prior to the said 21st of February. And it further appears by the said minutes (pages 564, 8 and 9) that evidence was afterwards adduced in support of an application for a new trial, by which it appeared that lord Cochrane's said brother had been dangerously ill for more than seven weeks prior to the said 21st of February, that he wrote to lord Cochrane on the subject early in the month, and that lord Cochrane received his letter on the Friday previous to the 21st of February; but that lord Cochrane did not succeed in his application, and a new trial was refused.

That therefore the said lord chief justice Ellenborough, at the trial aforesaid, in examining the bearer of the note in question as to his knowledge of major Cochrane, in order to found an argument that if lord Cochrane had conceived that the writer of the note was the messenger of ill news concerning him, the witness being acquainted with him, was a person to whom he would have communicated his apprehensions; and in omitting to examine him as to the period which had elapsed since he last saw or attended on major Cochrane, and whether he knew or believed that lord Cochrane had any knowledge of such acquaintance or attendance; and in representing to the jury that evidence of major Cochrane's illness on the 25th of January, was no proof of lord Cochrane's knowledge of the fact on the 21st of February following, at the same time that he assumed that evidence of the servant's acquaintance with and attendance on the major when he first went into the army, was proof of lord Cochrane's knowledge of those facts and recollection thereof many years afterwards; and in stating to the jury that nothing could be more natural than for lord Cochrane to say, "I hope there is no bad news from my brother, your old master," and in repeatedly discrediting the apprehension assigned by lord Cochrane on oath as his motive for returning home, because he did not communicate it to his servant; and in further stating and acting as herein set forth, was and is guilty of partiality, misrepresentation, and injustice.

Tenth Charge:—Of devising unwarrantable and unfounded objections to lord Cochrane's declaration upon oath, that he received a letter from major Cochrane, his brother, acquainting him with his dangerous state of health, previous to the 21st of February 1814; and of treating it as unworthy of credit, though supported by circumstances, and by the affidavit of major Cochrane himself, stating that he wrote such a letter early in that month.

That by the minutes of the proceedings at the trial of Charles Random De Berenger, and others, for a conspiracy, before the lord chief justice Ellenborough, on the 8th and 9th days of June 1814, and of the proceedings connected therewith, in the court of King's Bench, on the 14th and 20th of June following (page 563,) it appears that evidence was adduced on the part of lord Cochrane in support of an application for a new trial; and that, among other evidence then adduced, was an affidavit sworn by him in court on the said 14th of June, which as appears by the said minutes (page 564) contained the following clause: "That when this deponent returned home from Mr. King's manufactory on the 21st of February, which he did directly after the receipt of a note, he fully expected to have met an officer from abroad, with intelligence of his brother, who had by letter to this deponent received on the Friday before, communicated his being confined to his bed, and severely afflicted by a dangerous illness, and about whom this deponent was extremely anxious;" and that in further support of such application for a new trial, he adduced in evidence (as appears by the said minutes (page 568) an affidavit of his said brother the honourable Willian Erskine Cochrane, major in the 15th regiment of dragoons, sworn in court on the said 14th of June, with an official certificate of the surgeon of that regiment annexed, dated February 12th, 1814; and that such affidavit stated that he, the said major Cochrane, was seized with an alarming illness at Cambo, in the south of France, on the 1st of January 1814, and continued in a state of dangerous illness during that month and part of the following (which statement was confirmed by the said certificate), and that he wrote to his brother, lord Cochrane, to acquaint him with his dangerous situation early in February. That the said lord chief justice, as appears by the minutes aforesaid (page 570), after the last mentioned-evidence had been read, made the following observation: "This affidavit is not even material to show that lord Cochrane was in possession of his brother's letter previous to the morning of the 21st of February, so as to account for a connexion existing in his mind between the note he on that morning received, and the state of his brother's health, which should induce him immediately on the receipt of it to return home." That although it be true, that major Cochrane's affidavit proved only that his letter was sent early in February, and not that lord Cochrane received it prior to the twenty-first, yet, as it was sent from a place from whence it was well known that letters usually arrive in England in the course of seven or even five days, it afforded a strong presumption that it had arrived before that day, and connected with lord Cochrane's own statement on oath, which had just then been read, that he did so receive it on the 18th of that month, was conclusive evidence of the fact, although the act of delivery could not specifically be proved, because the letter itself had not been preserved.

That if there could be a reasonable doubt that a letter sent from the place specified on any day early in a month, would in the usual course arrive in London before the 21st, it was well known that both major Cochrane and lord Cochrane were in situations and had possessed opportunities which precluded the possibility of ignorance on the subject, and must have foreseen the objection; and therefore, that if any intention had existed to impose upon the court by false statements, an earlier date would have been assigned to the alleged letter, which might have been done with the greatest plausibility, as the illness was fully proved to have commenced as early as the first of January. That the considerations that an earlier and more definite date was not assigned to the letter in major Cochrane's affidavit, and that lord Cochrane should have sworn to its arrival on the eighteenth (being the day after his removal to Green-street) without pretending to any recollection of its date, ought to have led the said lord chief justice to infer, that no attempt or disposition existed either on the part of lord Cochrane or his brother, to defend him at the expense of truth, and that so far as they knew they deposed, and no further.

That the said lord chief justice, as appears by the minutes aforesaid (page 570), assigned as a further reason for discrediting the statement of lord Cochrane relative to the receipt of his brother's letter previous to the fraud, the circumstance of such letter not being mentioned in his former affidavit: and that the said lord chief justice observed, "Your mind must have been drawn to it at the time you made your affidavit, when you came to mention your brother's illness." That this argument had no foundation in reason, and was contrary to evidence, by which it appeared that major Cochrane's letter was sent early in February, and therefore must have arrived, if not prior to the 21st of that month, yet previous to the 11th of March, the date of the affidavit; and it was as likely that lord Cochrane's mind should have been drawn to it, and far more likely that he should have mentioned it in the latter case than in the former. That it was clear, and indeed admitted, that it was the knowledge of major Cochrane's illness that was the cause of lord Cochrane's apprehensions respecting him on the 21st of February, if true; or if false, that suggested the pretence of those apprehensions, when he asserted them on the 11th of March; but if the latter, he must have felt the necessity of corroboration, which the same information that furnished the pretence, would, by the obvious artifice of antedating the receipt of it, have also supplied. That if lord Cochrane had not scrupled one falsehood on oath, it was utterly improbable that he should have shrunk from a second, which was just at hand, to which his "mind must have been drawn," and was essential to support the first; and therefore, after the words in the affidavit, "concluding that some accident had befallen my brother," he could hardly have failed to add, "from whom I had received information of his being afflicted with a dangerous illness." That the omission therefore of any mention of his brother's letter in his first affidavit, or of any information on the subject of his brother's illness, was not as represented by the said lord chief justice, a proof that he had received no such information previous to the 21st of February, but was on the contrary strongly presumptive that he had then received such information; and being conscious of the truth of his statement, that he acted under the impression of some accident having befallen his brother, he did not advert to the necessity of accounting for his apprehensions; he could not have anticipated that the fact would be disputed, and therefore was unconscious that it needed explanation or support.

That by the minutes aforesaid (page 570,) it further appears, that lord Cochrane then observed to the said lord chief justice, "My brother's affidavit states that he wrote to me early in the month, and I received his letter on the Friday previous to the fraud." And that the said lord chief justice then replied, "That was capable of being most distinctly verified;" but that the said lord chief justice did not then point out any means by which the fact, if true, might have been further verified, but did immediately dismiss the application of lord Cochrane for a new trial, and afforded him no opportunity of further verification.—That by the minutes aforesaid (page 594) it further appears that sir Simon Le Blanc, while in the act of pronouncing sentence, observed, "If any such letter had been received, if it had come by a private hand, the person who brought it might have been called, and if it had been brought by a ship or by post, the mark on the direction and the envelope of that letter would have given some explanation of it:" that if these were the means of verification to which the said lord chief justice alluded, when he asserted that the fact, if true, was capable of being most distinctly verified, it is clear that the absence of such proofs was very far from being conclusive against the truth of the facts sworn to by lord Cochrane and by his brother, and that he might have received the letter at the time testified, namely the 18th of February, without being able to verify the fact by any such means, after the long interval that lapsed between that period and the proceedings aforesaid; because if such letter had been brought from France by a private hand, it did not by any means follow that the bearer would have delivered it personally into the hands of lord Cochrane, but might have left it at his house in his absence, or sent it by another person, and lord Cochrane might not have known by whom, or the bearer, particularly if belonging to the army, might again have been absent from England before the month of June; or he might not have been able to depose, whether the delivery of the letter was before or after the particular day in question: that in the other case "by ship or post," (which was the actual conveyance of the letter in question) the practicability of the supposed method of verification, namely, that "the mark on the direction and the envelope on that letter, would have given some explanation of it," was equally uncertain, because it is notorious that letters are frequently not in existence four months or even four days after delivery, that nothing is more common than to throw away the envelope, even before the perusal of the letter it enclosed; and that it is not unusual to destroy, not only the envelope, but the letter itself as soon as read, particularly if not likely to be of future importance.

That by the minutes aforesaid (page 571) it appears, that in answer to the objection, that the original letter was not annexed to major Cochrane's affidavit, lord Cochrane observed, "No, it is not; I had no idea of bringing the letter of my brother before a court of justice;" thereby intimating, that he had not foreseen the necessity of preserving such a letter, which merely gave an account of his brother's health, for any such purpose; and it was obviously impossible that he should have foreseen such necessity, if ignorant of the fraud committed.

That although (as appears by the minutes aforesaid) the said major Cochrane could not depose to the particular day on which he wrote such letter, and therefore made oath generally to its having been sent by him early in February; yet if the rigour of the said lord chief justice had been sufficiently adverted to, he could (as subsequently represented) have been so far particular as to have testified that he wrote such letter between the periods of his first and second relapse, which, as appeared by the surgeon's certificate (page 569 of the minutes aforesaid) occurred on the 1st and 7th of February. That about that period there were frequent departures of vessels from the adjoining ports for England, and among others that might be instanced as a probable conveyance, the Halcyon sloop of war, which, as appears by the logbooks of the said ship, deposited in the navy-office, sailed from Plymouth on the 17th of January 1814, and arrived at Passages, distant only a few miles from Cambo, where major Cochrane then was on the 22d, after a passage of only five days, and remained there, or at the contiguous port of St. Sebastian, till the 6th day of the said month of February, being five days after major Cochrane's first, and one day previous to his second relapse as aforesaid; weighed anchor at 10 A. M. on the said 6th of February, and again arrived at Plymouth at 4 P. M. on the 13th of that month, being a passage of one week only. And by the books of the general post-office, and a letter to lord Cochrane from Francis Freeling, esquire, secretary to that department, it appears that a mail from St. Sebastian's was then brought by the said ship, and arrived in London on the 16th of the said month of February.

That it appears by a further letter from the secretary of the post-office to lord Cochrane, in answer to an inquiry whether the letters by the Halcyon were distributed in London on the day they were received, that he the said secretary states, that "by a reference to the office books, it should appear that the letters received by the Halcyon from St. Sebastian on the 16th February 1814, were put in a course of delivery on that day;" but that the words, "it should appear they were put in a course of delivery on that day," evidently indicate uncertainty as to the precise period of distribution, and a strong probability that they were not presented as addressed, earlier than the day following, being the 17th, which sufficiently coincides with the evidence of lord Cochrane, that he received his brother's letter on the 18th; because on the 17th, as was proved at the trial, he removed from his lodgings in Park-street to a house in Green-street; which was also the circumstance that enabled him as aforesaid, to fix the time of such receipt, recollecting that it occurred in Green-street the morning after his removal from Park-street. That such letter, therefore, if left at Park-street on the 17th, after his removal to Green-street, might have remained there, or at least not have been received by lord Cochrane till the next day.

That the rigour of the said lord chief justice, in representing that proof of a letter having been sent to lord Cochrane from an officer in the British army in France or Spain early in February 1814, did not so far corroborate the evidence of lord Cochrane to the receipt of such a letter before the 21st of that month, as to entitle it to credit, further appears to have been unwarrantable, from the circumstance (as stated in the public papers of the 17th of that said month of February aforesaid) of the under secretary of state for the war department having left the head quarters of the British army on the 9th of that month, and arrived in London on the 15th, being a period of six days only, including his journey from the army to the port whence he sailed, and his journey to London from the English port at which he landed. And it is well known that the voyage alone is frequently performed in the short period of three days.

That therefore the said lord chief justice Ellenborough, in representing the evidence of the hon. William Cochrane, relative to the letter he had written from Cambo to lord Cochrane, acquainting him with his dangerous state of health, early in February 1814, to be immaterial, as not affording any reason to presume that lord Cochrane was in possession of the letter previous to the 21st of that month; and in representing the circumstance of such letter as not being mentioned in lord Cochrane's affidavit of the 11th of March, to be a reason for concluding he had not received it prior to the 21st of February; and in asserting that the particular day on which such letter was received in February, was capable of being most distinctly verified in June following, without admitting the evidence of the party so receiving it to be any verification whatever, and without suggesting any means or allowing any opportunity for further verification; and in saying and doing as herein set forth, was and is guilty of misrepresentation, partiality, and injustice.

ELEVENTH CHARGE:—Of unjustly representing that the evidence adduced on the part of lord Cochrane, that application had been made to obtain an appointment for De Berenger, connected with the service in America, was immaterial to corroborate the narrative contained in lord Cochrane's affidavit; of untruly insinuating that lord Cochrane himself had suggested the application; and of applying it as evidence of guilt against lord Cochrane.

That by the minutes of the proceedings at the trial of Charles Random De Berenger, and others, for a conspiracy (page 482) it appears that the lord chief justice Ellenborough, while commenting upon an affidavit made by lord Cochrane on the 11th day of March 1814, represented to the jury that lord Cochrane must be supposed to have been familiar with De Berenger's hand-writing, and must have known from whom he received the note on the morning of the 21st of February, whether the signature itself was legible or not. That the said lord chief justice expressed himself as follows: "Now with the acquaintance he had with De Berenger, no doubt such application had been made to get him appointed, as is proved, and he must have been, one would suppose, familiar with his hand-writing; and if so, he could have no doubt who was the person from whom he received this note, and whom he was to meet when he should get home." Whereas it did not appear by evidence, that lord Cochrane made any application to get De Berenger appointed, or that any application to that effect had ever been made at lord Cochrane's recommendation or request; and therefore that the said lord chief justice was not warranted in attributing the application for De Berenger to lord Cochrane's acquaintance with him, and would not have been warranted in so doing, even if it had been proved that such acquaintance had amounted to intimacy; but by the affidavit of lord Cochrane, the evidence on which the said lord chief justice was then commenting, it appeared, and was not opposed by any other evidence, that De Berenger had endeavoured to recommend himself to lord Cochrane's attention by certificates from persons in official situations; and by the evidence of the hon. Alexander Murray (page 215 of the minutes aforesaid) one of the witnesses for the prosecution, it further appeared, that lord Cochrane's acquaintance with De Berenger was recent, and that he did not understand there was any intimacy at all; and that no evidence whatever of any such intimacy was adduced, except only that of Mr. Le Marchant, whose representations having no other foundation (if any) than the assertions of De Berenger, were admitted by the said lord chief justice (page 504) to be "only what De Berenger said, and not to prove the facts as against any body else," but which in reality could not fairly be said to prove any thing against any one; because from the use which the witness had previously made of his asserted information, as appears by the said minutes (page 357), and was well known to those who availed themselves of his evidence, it had the appearance of being invented, or perverted for interested purposes. That it appears therefore that the observation, "now with the acquaintance he had with De Berenger, no doubt such application had been made to get him appointed, as it proved; and he must, one would suppose, have been familiar with his hand-writing," was intended to draw the jury into an opinion that such acquaintance was more intimate than had been proved, and that lord Cochrane had not only interested himself in promoting the application for De Berenger; but had received a sufficient number of letters from him on that or other subjects, to be perfectly familiar with his hand-writing.

That it did not appear at the said trial, by any evidence whatever, that lord Cochrane, previous to the aforesaid 21st of February, had ever received a letter from De Berenger, or ever even seen the character of his hand-writing. But if it had been proved that lord Cochrane was familiar with De Berenger's hand-writing, or if the fact could have been fairly inferred from any evidence in the cause, the said lord chief justice was not warranted in the further deduction, that "he lord Cochrane could have no doubt who was the person from whom he received that note, and whom he was to meet when he should get home;" because the circumstances under which that note was proved to have been written were such as might have rendered it almost illegible, or have occasioned a great variation from his De Berenger's ordinary hand-writing. That it was in evidence that De Berenger had been travelling from one o'clock in the morning till ten, almost without refreshment, and it appeared (page 123 and 348 of the said minutes) that he wrote the note immediately on entering the House; and by the evidence of Thomas Shilling (page 118) it appeared that "his face was very red that morning, for it was very frosty." That it could not be reasonably supposed that such long exposure to extreme cold, which had affected his face, had no effect on his fingers; and it is well known, that after the hands have been benumbed by the cold, it is not only difficult to write legibly, but even to write at all. That it appears, therefore, that lord Cochrane might not have known from whom he received that note, even if he had been perfectly familiar with his ordinary hand-writing, of which there was not the slightest evidence.

That there was also a possibility that De Berenger might not have felt fully assured of lord Cochrane's immediate return to his house at his request, and that he therefore deemed it expedient to leave him ignorant of the name of the writer, by designedly affixing an illegible signature. That this was the more probable, because it appeared that the fraudulent letter which he sent from Dover to admiral Foley was not in his ordinary hand-writing, and that the said lord chief justice expressed an opinion (page 368) that a person would certainly write a disguised hand when engaged in such transactions, if ever he did in his life.

That it was in evidence, that the application to get De Berenger appointed, from which the said lord chief justice, as aforesaid, inferred that lord Cochrane was familiar with his hand-writing, had been made, not by lord Cochrane, but by sir Alexander Cochrane, previous to his departure to America; and the evidence of such application was adduced on the part of lord Cochrane, because it corroborated the statement contained in his affidavit, and proved that there existed a foundation for such a conversation as is therein related; and that there was a probable cause or pretence for De Berenger's visit to lord Cochrane, independent of any alleged illicit connexion, or of particular or any intimacy. That the use of such evidence on the part of lord Cochrane, was thus explained by his counsel at the trial (page 272):—"If my learned friend could have shown you that all that the affidavit states respecting De Berenger going to America, was the invention of lord Cochrane since the 21st of February, that nothing of the sort had ever been thought of before, such proof would have falsified the affidavit; but so far from offering any such evidence, all the evidence adduced confirms the statement in the affidavit." That the said lord chief justice never adverted to such evidence, in order to place it in that liberal and favourable point of view to the jury, but presented it to them as a proof that lord Cochrane was familiar with De Berenger's hand-writing, and knew who was the person from whom he received the note, and whom he was to meet when he should get home, and consequently that the affidavit was false, and lord Cochrane guilty.

That the said lord chief justice, as appears by the said minutes (page 483), then continued to recite the affidavit of lord Cochrane as follows: "But," he says, "I found captain De Berenger, who, in great seeming uneasiness, made many apologies for the freedom he had used, which nothing but the distressed state of his mind, arising from difficulties, could have induced him to do; all his prospects, he said had failed, and his last hope had vanished of obtaining an appointment in America. He was unpleasantly circumstanced on account of a sum which he could not pay; and if he could, that others would fall upon him for full 8,000*l.* He had no hopes of benefiting his creditors in his present situation, or of assisting himself. That if I would take him with me, he would immediately go on board and exercise the sharpshooters (which plan I knew sir Alexander Cochrane had approved of"). That the said lord chief justice (page 483 aforesaid) then observed "And there is no doubt that sir Alexander Cochrane had, on some application of Mr. Cochrane Johnstone or lord Cochrane, applied for him, but that for reasons not communicated to us, such application had not been successful, and it had not been thought fit to appoint him." Whereas the fact of sir Alexander Cochrane having applied for him, had, as appears by the minutes aforesaid (page 340 to 344) been very particularly proved by the first lord of the admiralty, the secretary to the commander in chief, and the under secretary of state for the colonial department; and therefore the representation of the said lord chief justice, that Mr. Cochrane Johnstone or lord Cochrane had requested sir Alexander to make the application, was not at all necessary to arrive at the conclusion that such application had been made, and could only have been intended to betray the jury, contrary to or in perversion of the evidence adduced, into an admission of his own assumption that such application must have originated with Mr. Johnstone or lord Cochrane; and by so uniting the names of lord Cochrane and Mr. Johnstone, to represent the act of the one as the act of the other, to confound the different degrees of acquaintance that had subsisted between De Berenger and them, and to represent the one as likely as the other to have promoted such an application; and further, to divert the attention of the jury from the application itself, and the support which it gave to the affidavit, to the less favourable consideration of the intimacy in which he, the said lord chief justice, represented it to have originated. That the said lord chief justice was so actuated, appears also from the consideration, that when commenting on that part of the affidavit which related to lord Cochrane's motive for returning home, and before he arrived at that part which had reference to the application for De Berenger, he, the said lord chief justice, did as aforesaid observe, "Now with the acquaintance he had with De Berenger, no doubt such application had been made to get him appointed, as is proved;" thereby insinuating, that the fact was not more clearly apparent from the positive testimony of the officers of government, than from the subsistence of that degree of acquaintance between lord Cochrane and De Berenger as must have induced the former to cause such an application to be made.

That the proof adduced of its having been in contemplation that De Berenger should go to America, as connected with the service, and of the fact that sir Alexander Cochrane had applied for him, coupled with the evidence of his pecuniary embarrassments, and the production of certificates to his character and conduct, strongly corroborated the statement of lord Cochrane, that De Berenger came to his house for no other purpose known to him, or under no other pretence than that of requesting lord Cochrane to take him to America. That the said lord chief justice uniformly opposed the exculpatory tendency of this part of the evidence, and during the examination of colonel Torrens, who, as appears by the minutes aforesaid (page 342) deposed that sir Alexander Cochrane came twice or thrice to urge the appointment of De Berenger, the said lord chief justice observed, "I do not know to what point this applies;" and when the counsel for the defendants replied, "Merely that it confirms the statement made by lord Cochrane, and shows a connexion between the different parties, consistent with that statement," the said lord chief justice rejoined, "It shows that he was acquainted with sir Alexander Cochrane, and that he recommended him to the appointment;" thereby insinuating that it did not prove to the extent stated by counsel, and in effect denying its importance in corroborating the veracity of lord Cochrane's statement. That during the examination of Mr. Goulburn, who as appears by the minutes aforesaid (page 344) deposed that sir Alexander Cochrane applied to the colonial department in behalf of De Berenger, the said lord chief justice observed, "You have laid this basis, that there had been some application, and that it had been in contemplation that he should go out, as connected with the service;" that it was then observed by counsel, "That is all we wish, we want to show a connexion without this illicit connexion," thereby implying 'that it was sufficient to prove such a connexion as accounted for De Berenger's visit to lord Cochrane, consistent with and in verification of lord Cochrane's statement, in order to repel the inference of an illicit connexion from that visit.' But that the said lord chief justice immediately remarked, "No doubt there had been an intimacy and connexion; whether for good or ill is the question." That the said lord chief justice afterwards decided, that the evidence in question was proof of an intimacy for ill, by representing as aforesaid, that the applications for De Berenger originated with lord Cochrane, and afforded reason to suppose, that "he was familiar with his hand-writing, and knew from whom he received the note, and whom he was to meet when he should get home."

That therefore the said lord chief justice Ellenborough, not only in opposing the exculpatory tendency of the evidence adduced in support of lord Cochrane's affidavit, and particularly of the evidence of the aforesaid applications for De Berenger, but in assigning the origin of such applications to lord Cochrane's acquaintance with him, and inferring therefrom familiarity with his hand-writing, and an intimacy for ill between lord Cochrane and De Berenger, in stating, that there was no doubt that sir Alexander Cochrane had applied for De Berenger, on some application of Mr. Cochrane Johnstone or lord Cochrane; and that "with the acquaintance lord Cochrane had with De Berenger, no doubt such application had been made to get him appointed as was proved; and that he must be supposed to have been familiar with De Berenger's hand-writing; and if so he could have had no doubt who was the person from whom he received the note, and whom he was to meet when he should get home;" and in stating and acting as herein set forth, was and is guilty of partiality, misrepresentation, and injustice.

Twelfth Charge:—Of injuriously passing over, without comment or observation, that part of lord Cochrane's affidavit, which stated, that when he objected to take De Berenger to America without leave from the Admiralty, he recalled to his recollection certificates which he had formerly shown him from lord Yarmouth, and others in official situations; and of misrepresenting the evidence of the hon. Alexander Murray, on the subject of lord Cochrane's acquaintance with De Berenger.

That by the minutes of the proceedings at the trial of Charles Random De Berenger, and others, for a conspiracy (page 201), it appears, that an affidavit of lord Cochrane, one of the defendants at the said trial, dated March 11th, 1814, was given in evidence by the counsel for the prosecution; and that it contained a narrative of the conversation which took place between De Berenger and lord Cochrane on the morning of the 21st of February preceding; and that in the course of such narrative lord Cochrane stated, that De Berenger appeared greatly hurt at his objecting to take him out to America, and that he recalled to his recollection certificates which he had formerly shown him from persons in official situations, lord Yarmouth, general Jenkinson, and Mr. Reeves, being among the number. That by the said minutes (page 483 and 484) it appears, that the lord chief justice Ellenborough, when reciting the said affidavit to the jury, and commenting thereon, made no observation on that part thereof which stated that De Berenger recalled to the recollection of lord Cochrane, certificates from persons in official situations. That the said lord chief justice had no reason to doubt that such certificates existed, and that they had been shown to lord Cochrane; because it was not to be supposed, that if lord Cochrane had been uncertain of their existence, he would have ventured an assertion on oath, which the gentlemen named as the authors of such certificates might have come forward to refute. That it was not open to the said lord chief justice to imagine, in the absence of all other evidence and of all ordinary probability, that lord Cochrane came to the knowledge of those certificates in any other way than as described by himself in the said affidavit. That no part of the said affidavit therefore, nor of any evidence in the cause, was more entitled to credit than that in which De Berenger was described as recalling to lord Cochrane's recollection, on the morning of the 21st of February, certificates which he had formerly shown him from persons in official situations. That it was obvious to the said lord chief justice, that the production of or reference to such certificates on the occasion in question, was not indicative of that degree of familiarity between De Berenger and lord Cochrane as must have subsisted in case of mutual guilt; that if De Berenger had rendered any important service to lord Cochrane, and that service of a criminal character, it would have pleaded stronger for lord Cochrane's good offices in return, than any testimonial to his good character from other persons; and that the disparity in the strength, and the repugnance between the considerations of the two claims, were such, that if the first had existed, it was not at all likely that he should have attempted to recommend himself by the other. That the said lord chief justice could not have conceived that a person in the act of soliciting the patronage of another, on the ground of having rendered him such services as only one unprincipled man could render to another, would as a further inducement have recourse to the production of, or a reference to certificates, of which the only effect could be to show, that in the estimation of others he stood higher than he deserved. That notwithstanding it was in evidence that sir Alexander Cochrane, under whom lord Cochrane himself was then preparing to serve, had been impressed with the most favourable opinion of De Berenger, had endeavoured to procure him an appointment under his command, and was desirous that lord Cochrane should promote his wishes; yet it was equally in evidence, that De Berenger was so little conscious that lord Cochrane was under any obligation to serve him, and so uncertain of his inclinations, that he felt the necessity of recommending himself to his notice by the formal production of certificates to his good character and behaviour; that therefore the representation of the said lord chief justice (page 482 of the minutes aforesaid) that it was owing to lord Cochrane's acquaintance with De Berenger, that sir Alexander had been induced to make application for him, was not only unsupported, but particularly opposed by the evidence in question, which was not only hostile to the conclusion, that there was any criminal connexion between lord Cochrane and De Berenger, but that there was any degree of intimacy or cordiality, and which evidence the said lord chief justice did as aforesaid, pass over without making any observation thereon.

That by the minutes aforesaid (page 215 and 216) it appears, that the hon. Alexander Murray, one of the witnesses for the prosecution, was examined on the subject of lord Cochrane's acquaintance with De Berenger, and deposed as follows, "I knew there was a very particular intimacy between De Berenger and Mr. Cochrane Johnstone, but I did not understand it was with lord Cochrane at all; I understood he was a more recent acquaintance; De Berenger was constantly with Mr. Cochrane Johnstone, he was there almost every day. His acquaintance with lord Cochrane was recent. He did not state any thing with regard to his visits to lord Cochrane." That the said lord chief justice, as further appears by the said minutes (page 506) omitted to recapitulate a part of this evidence to the jury, and stated only as follows: "I knew there was a very particular intimacy between Mr. De Berenger and Mr. Cochrane Johnstone. I understood lord Cochrane was a more recent acquaintance, but that there was some acquaintaince; I understood that there was a great acquaintance between him and Mr. Johnstone, and that he was with him almost every day." That the witness did not only state that lord Cochrane's acquaintance with De Berenger was more recent than that of Mr. Johnstone's, but positively that it was recent, and that he had not heard De Berenger say any thing in regard to any visit to lord Cochrane. That neither of the two last-mentioned answers were recited by the said lord chief justice. And further, that the said lord chief justice substituted the words "but that there was some acquaintance" (which were not used by the witness) for his real words, which as appears by the minutes aforesaid, are "that he did not understand there was any intimacy at all." That this is an instance in which the said lord chief justice's statement of the evidence (on which statement he instructed the jury to decide, as appears by the minutes aforesaid, p. 448) was calculated to make an impression by the evidence, different to that borne by itself. That the purport of Mr. Murray's evidence was, that there was the least possible acquaintance between lord Cochrane and De Berenger, and that the effect of the lord chief justice's statement of that evidence was, that there was sufficient for any evil purpose.

That therefore the said lord chief justice Ellenborough, in passing over that part of lord Cochrane's affidavit in which he represented De Berenger to have recalled to his recollection, on the morning of the 21st of February, certificates which he had formerly shown him from lord Yarmouth, general Jenkinson, and others, and omitting to point it out to the jury as a circumstance which justice to lord Cochrane required to be particularly considered; and in mis-stating the evidence of the hon. Alexander Murray, on the subject of lord Cochrane's acquaintance with De Berenger; was and is guilty of partiality, misrepresentation, and injustice.

THIRTEENTH CHARGE.—Of repeatedly, unwarrantably, and unjustly, conveying and enforcing an opinion, that De Berenger appeared before lord Cochrane on the 21st of February 1814, in the red coat, star and order, in which he had committed the fraud; of suppressing evidence corroborative of lord Cochrane's declaration upon oath, that he wore in his presence a green uniform; and of supplying evidence in opposition thereto; and passing over, without pause or remark, the solemn declaration of lord Cochrane upon oath, that he had no concern, either directly or indirectly, in the fraud that had been committed.

That by the minutes of the proceedings at the trial of Charles Random De Berenger and others, for a conspiracy, it appears, that lord Cochrane, one of the defendants at the said trial, made oath by an affidavit, dated March 11, 1814, and given in evidence at the said trial, that De Berenger, on the morning of the 21st of February, when seen by him at his house in Green-street, wore a grey great coat and a green uniform; and that he further made oath, that De Berenger asserted, when advised by him to apply to his friends to exert their influence with the admiralty, that he could not go to lord Yarmouth or any other of his friends in the dress he had on, or return to his lodgings, where it would excite suspicion (as he was at that time in the rules of the King's-bench); and also that he said he must use a great liberty, and request the favour of lord Cochrane to lend him a hat to wear, instead of his military cap; and that he gave him one which was in a back room with some things that had not been packed up, and having tried it on, his uniform appeared under his great coat; and that lord Cochrane therefore offered him a black coat that was lying on a chair, and which he did not intend to take with him; and further, that De Berenger put up his uniform in a towel, and shortly afterwards went away in great apparent uneasiness of mind. That by the minutes aforesaid, it further appeared, that the only evidence as to the description of dress in which De Berenger was seen by lord Cochrane on the 21st of February, or as to the fact of his being seen at all by lord Cochrane on that day, or of the fact of his obtaining or making any change of dress at lord Cochrane's house, was the evidence so given by lord Cochrane himself. But it appeared (page 124 of the said minutes) that William Crane, the hackney-coachman who conveyed De Berenger to lord Cochrane's house, made oath that when he got out at Green-street, he saw a red coat underneath his great coat, and also that he had a portmanteau with him big enough to wrap a coat up in; and it further appeared that lord Cochrane was not at that time at home, but was sent for from a distant part of the town. That the lord chief justice Ellenborough, in charging the jury, repeatedly expressed himself decidedly of opinion, that the dress in which De Berenger was seen by lord Cochrane on the said 21st of February, was that in which the crime had been committed, namely, the red coat of an aid-de-camp, with a star and order of masonry, and that lord Cochrane had wilfully sworn falsely that the dress in which he saw him was green. That first the said lord chief justice (as appears by the said minutes, page 452) expressed himself as follows: "The first question, gentlemen, will be—was the defendant De Berenger, the man who was found at Dover about one o'clock on the morning of Monday the 21st of February, and who proceeded through the several stages to London, and ultimately to the mansion of lord Cochrane himself, and was there received with that dress, whatever it was, that he wore; but the dress he wore is proved by so many witnesses, that I will not fatigue you with stating it now, because I must by-and-bye state the whole of the evidence to you."

That afterwards the said lord chief justice observed (page 478 of the minutes aforesaid) "You have before had the animal hunted home, and now you have his skin, found and produced as it was taken out of the river, cut to pieces; the sinking it could have been with no other view than that of suppressing this piece of evidence, and preventing the discovery which it might otherwise occasion; this makes it the more material to attend to the stripping off the clothes, which took place in lord Cochrane's house. When he pulled off his great coat there, what must he have displayed to his lordship's eyes if present at the time? Did he display the uniform of the rifle corps? The uniform of the rifle corps is of a bottle-green colour, made to resemble the colour of trees, that those who wear it may hide themselves in woods, and escape discovery there; that is, I presume, the reason of their wearing that species of uniform; and as to the idea suggested in lord Cochrane's affidavit, that his exhibiting himself in that uniform would be deemed disrespectful to lord Yarmouth. Lord Yarmouth has told us, that on the contrary he should have thought it a matter of respect to him, and proper as his officer to have appeared before him in that very dress." That then the said lord chief justice further observed (page 479 of the said minutes) "The account that is given of this man's pulling off his dress, as contained in the affidavit of lord Cochrane, is highly deserving your attention. It is a rule of law, when evidence is given of what a party has said or sworn, all of it is evidence (subject to your consideration, however, as to its truth) coming as it does, in one entire form before you; but you may still judge to what parts of this whole you can give your credit; and also, whether that part which appears to confirm and fix the charge, does not outweigh that which contains the exculpation. Now I will state to you what is lord Cochrane's affidavit."

That afterwards the said lord chief justice further observed (page 484) "What is the dress that lord Cochrane represents as then belonging to him? a green dress? had he a green dress? he must have had that dress with him whatever it was, in which he had come in the coach; he says that would excite suspicion; why, if he had really a green uniform, that would not have excited observation or suspicion, it was the very uniform he ought to have worn; but if it was that in which he had got out of the coach, and it does not appear that he had any means of shifting himself, if he had on an aid-de-camp's uniform with a star, and so presented himself to lord Cochrane; how could lord Cochrane reconcile it to the duties he owed to society, and to government, and to his character as a gentleman and an officer, to give him the means of exchanging it? it must be put on for some dishonest purpose; this red coat and star, and all this equipment, must have appeared most extraordinary, and must have struck lord Cochrane most forcibly, if he was not aware of the purpose for which it was used." That again the said lord chief justice observed (page 485) "If he put that uniform in a towel, he must have pulled it off his back, for it was on his back before, and then lord Cochrane, one would think, must have seen him do it; what business had this man with a red aid-de-camp's uniform? he had no business to wear any such garb; he was almost as much out of his proper character, as I should be, if I appeared habited in the particular dress and professional habits of an officer or a clergyman; but it does not rest there, for he himself lends to this person the immediate means of his concealment, he lets him have a hat instead of his laced cap; and what had such a cap to do with a sharpshooter's uniform? upon seeing him appear habited as all the witnesses represent him to have been in his way from Dover to Green-street, Grosvenor-square, would not any one who had known him before have immediately exclaimed, where have you been, and what mischief have you been doing in this masquerade dress? It is for you, gentlemen, to say whether it is possible he should not know that a man coming so disguised and so habited, if he appeared before him so habited, came upon some dishonest errand, and whether it is to be conceived a person should so present himself to a person who did not know what that dishonest errand was, and that it was the very dishonest errand upon which he had so recently engaged, and which he is found to be executing in the spreading of false intelligence, for the purpose of elevating the funds; if he actually appeared to lord Cochrane stripped of his great coat, and with that red coat and aid-de-camp's uniform, star and order, which have been represented to you, he appeared before him rather in the habit of a mountebank than in his proper uniform of a sharp-shooter." And that finally the said lord chief justice observed (page 486) "Now did he wear a green uniform? They are at issue upon the dress then worn by him; if he had not this dress on, what other had he? and if he had the green one on, what true or probable reason existed for the change of that? the unfitness of appearing in it before his commanding officer, lord Yarmouth, is negatived by lord Yarmouth himself; supposing him to have appeared in any disguise, it is the conduct of an accomplice to assist him in getting rid of his disguise; to let a man pull off at his house, the dress in which (if all these witnesses do not tell you falsely) he had been committing this offence, and which had been worn down to the moment of his entering the house, namely, the star, a red coat and appendant order of masonry, seems wholly inconsistent with the conduct of an innocent and honest man, for, if he appeared in such a habit, he must have appeared to any rational person fully blazoned in the costume of that or of some other crime which was to be effected under an assumed dress, and by means of fraud and imposition; this circumstance is therefore very important for your consideration; the judgment to be formed upon it must rest with you: and you will no doubt consider whether, supposing him to have appeared before lord Cochrane dressed as the witnesses represent him to have antecedently been, the circumstance of his so appearing in a dress proper for the commission of such a fraud as appears to have been committed on that day, by attracting a false belief of the person being a messenger bringing great public news, coupled with the fact of his afterwards walking off with that dress in a bundle, instead of having that dress upon his back, and also with the evidence given in order to prove a connexion with the notes afterwards found in De Berenger's desk, you are not satisfied that he was privy to and assisted in the scheme of effecting a deception upon the public."

That by the minutes aforesaid (page 128) it appears that it was proved on the part of the prosecution, that the dress in which the fraud was committed was purchased in London on the 19th of February; but it was not attempted, by any evidence whatever, to trace him on his way to Dover, in or by means of that dress, or otherwise. And that the said lord chief justice observed (page 473) "Where he got into Dover, or how, we do not hear; of the points of the outward voyage we know nothing." That, in the absence of such evidence, it could not reasonably be assumed that he prematurely arrayed himself in so remarkable a dress, intended for so criminal a purpose, but rather that he departed from London in a plain dress, and invested himself in the other, at or in the vicinity of Dover. That when he purchased the dress as aforesaid (as appears by the said minutes, page 130), he had with him a small portmanteau; and it was also in evidence (page 123), that when he arrived at lord Cochrane's house he had with him a small portmanteau, big enough to wrap a coat up in; that it appeared therefore that he possessed the means of conveying the scarlet coat to Dover, without carrying it on his back, and also the means of returning with another coat in the like manner. That when the said lord chief justice, in summing up the evidence (page 477 of the minutes aforesaid) arrived at that part of it which stated that "the portmanteau was a small black leather one, big enough to wrap a coat up in," he recited the words "the portmanteau was a small black leather one," but omitted the other words, forming part of the same answer, "big enough to wrap a coat up in," and thereby avoided to call the consideration of the jury to the probable contents of that portmanteau; and that afterwards, when commenting upon the affidavit of lord Cochrane, he observed, as aforesaid, that it did not appear that De Berenger had any means of shifting himself.

That the said lord chief justice did, as aforesaid, further observe, that De Berenger, when he appeared before lord Cochrane, must have had that dress with him (evidently meaning upon him) whatever it was, in which he had come in the coach, although it had been proved that lord Cochrane was not then at home, but was sent for from a distant part of the town, and consequently that he had time sufficient to have altered his dress before lord Cochrane's return. That although it was clearly evinced by the circumstances in evidence, that De Berenger was more than an hour at lord Cochrane's house before he saw lord Cochrane, the fact of there being sufficient time for a change of dress in the interval, was further and more expressly denied, when the sentence of the court was pronounced; on which occasion, as appears by the minutes (page 598) Mr. justice le Blanc observed, "that it was impossible to conceive that any change of dress could have taken place during that short interval from the time at which he had got out of the coach, to the period when he had appeared before lord Cochrane."

That the said lord chief justice did, as aforesaid, further assert, that the dress worn by De Berenger down to the moment of his entering the house, was a star, a red coat, and appendant order of masonry; although it appeared that the only witness who stated that De Berenger entered in a red coat, did not depose to either the star or order; and that of the four witnesses who saw him by daylight, after his arrival in London, the only period of importance in regard to lord Cochrane, not one of them gave the slightest testimony of his wearing a star and order at that time. That although it appeared (page 115 of the said minutes), that Thomas Shilling, one of the four witnesses aforesaid, who drove the chaise that conveyed De Berenger from Dartford to the Marsh Gate, deposed that the coat had a star of some sort upon it, yet he added, that he was not close enough to see that, and could not swear to what it was, and had previously stated that he opened the chaise door at the Marsh Gate; and therefore it appeared that, when speaking of the star, he was deposing to a previous period, when he was not close enough to distinguish what it was, and not to the period when he let him out of the chaise, when he must have been close enough, if De Berenger had then continued to wear it. And it further appeared (page 123) that he had taken off his sword, which, unless he was meditating a change of dress preparatory to his appearance before lord Cochrane, it was as natural to have retained as any other part of his equipment.

That by the minutes aforesaid, it appears that the upper coat worn by De Berenger was proved to have been grey, as described in lord Cochrane's affidavit, and consequently that the description given thereof in the previous publications of the Stock Exchange committee was erroneous; they, on the authority of the said Thomas Shilling and William Crane, having described it to be brown. That the said William Crane, as appears by the said minutes (page 125), did at the trial combine the two descriptions, by terming it a brown-grey, and denied that he had previously described it to be brown; that from the inaccuracy of his description of the upper coat, it was less probable that he had seen or correctly noticed the description of coat worn underneath; and his evidence to the entrance in red, was not only unsupported by other evidence, but contrary to probability, because it implied that De Berenger had hazarded the exposure of himself in that dress to the observation of lord Cochrane's servants, who it could not be supposed were parties to the fraud that had been committed.

That the said lord chief justice, as appears by the minutes aforesaid, represented to the jury, that lord Cochrane was responsible for the veracity of the assertion which he represented to have been made by De Berenger, that he could not go to lord Yarmouth or any other of his friends, or return to his lodgings, in the dress he had on. And that he the said lord chief justice did as aforesaid (page 478) make the following observation, "As to the idea suggested in lord Cochrane's affidavit, that his exhibiting himself in that uniform would be deemed disrespectful to lord Yarmouth, lord Yarmouth has told us, that on the contrary he should have thought it a matter of respect to him, and proper as his officer, to have appeared before him in that very dress." That by a reference to the evidence of lord Yarmouth (page 376 and 377) it appears that his lordship neither expressed himself in the terms so represented by the said lord chief justice, nor spoke of that "very dress," which had been described by lord Cochrane. That the dress spoken of by lord Yarmouth was the uniform of his corps, which, he said, it would have been more military for De Berenger to have come in, but that he never exacted; and which he described to be a green waistcoat with a crimson collar; whereas the description given by lord Cochrane was of a green uniform only; and as further appeared on his application for a new trial (page 564 of the said minutes) an uniform with skirts, and not a waistcoat only, as described by lord Yarmouth; and it was well known at the period of the trial, that lord Cochrane had represented it to be entirely green. That the dress therefore, which De Berenger was represented to have worn at lord Cochrane's house, was not the "very dress" described by lord Yarmouth, but was more probably an uniform expressly provided with the real or ostensible view of exercising sharp-shooters at sea or in America, or, if any uniform usually worn by De Berenger, not his parade but his drill dress, and such as it might have been less usual or respectful to have appeared in before his commanding officer, than in almost any other.

That the said lord chief justice, as further appears by the said minutes (page 520) when stating the evidence of lord Yarmouth, and reciting his aforesaid declaration, that it would have been more military for De Berenger to have come to him in uniform, but that he never exacted it, again added thereto, and represented lord Yarmouth to have said, "I should not have been angry at it, but should have thought it the regular dress for him to appear in." And that the said lord chief justice did not only repeatedly amplify lord Yarmouth's evidence on this point, and represented it as proving that De Berenger might with propriety have gone to him in the dress described by lord Cochrane, but he represented it as negativing the statement of lord Cochrane, that De Berenger had told him that he could not; and notwithstanding the said lord chief justice had previously held, that evidence of a fact was not evidence of lord Cochrane's acquaintance therewith, and that proof of his brother being ill at a particular time was no proof that he knew him to have been so a month afterwards, yet the statement of lord Yarmouth at the trial, that De Berenger might with propriety have visited him in uniform when not on military duty, he represented to the jury as evidence that lord Cochrane could not have been deceived by any previous representation to the contrary; although it is notorious that the officers of a volunteer corps do not habitually appear in uniform, and although it was obvious that in the opinion of lord Cochrane it might have been as irregular for volunteer officers when not on duty to make morning calls in regimentals, as naval officers in uniform.

And the said lord chief justice, while alleging the improbability of the reasons stated by lord Cochrane to have been assigned by De Berenger for desiring a change of dress, if that dress was green, omitted all consideration of the liability of an innocent and unsuspecting person to be deceived by representations proceeding from a person of supposed veracity.

That the said lord chief justice also observed, as aforesaid, "They are at issue upon the dress then worn by him; if he had not this dress on, what other had he? and if he had the green one on, what true or probable reason existed for the change of that?" And that the said lord chief justice did, as aforesaid, not only discredit the motives represented by lord Cochrane to have been assigned by De Berenger for desiring a change of dress, but he would not admit the possibility of De Berenger being actuated by any concealed motive, or any motive whatever for alteration, if the dress which he then wore was green, although the existence of a motive known only to himself, however difficult at the trial to conjecture what that motive might be, was far more probable than that lord Cochrane should voluntarily and unnecessarily have disclosed the circumstance that a change of dress was effected at his house, if on his part it had been a guilty transaction. That it was however obvious, that if the dress in which lord Cochrane saw him was not that in which he committed the fraud, it must have been that in which he had gone down to Dover preparatory to that end; and as guilt is generally accompanied with fear, he might have had a secret apprehension that to appear even in that dress might tend to his detection. That, again, if the said lord chief justice, instead of representing the evidence of the coachman, to the entrance in red, to be fatal to lord Cochrane's evidence to the appearance a considerable time afterwards in green, had considered whether it was not less probable that lord Cochrane should be perjured, than that the hackney coachman, who had mistaken the colour of the upper coat, had also mistaken the period at which he had seen the red coat underneath, and had seen it at De Berenger's entrance into the coach, but not at his exit, a probable reason for his desiring to change the green coat would then have suggested itself; because in that case, De Berenger, having entered the coach in red and quitted it in green, had reason to apprehend that the coachman had first seen him in one and then in the other, and that his observation of such a transformation must have excited his surprise and suspicion, and consequently that a further change of dress must have appeared a prudent, if not a necessary precaution. That if no such connexion in the mind of De Berenger between his green dress and the crime he had committed, as should incline him to change it, could be conceived by the said lord chief justice, there was still a probability that De Berenger was desirous of securing, in the event of being traced, the testimony of lord Cochrane to his appearance in a dress different from that in which the fraud was committed; and considered that the only method of so fixing his observation on the colour of his coat, as to ensure his recollection of it afterwards, was to seize an opportunity of alluding to it in his presence; and that he did so by observing, in reference to lord Cochrane's recommendation to make application to lord Yarmouth, that he could not go to lord Yarmouth or return to his lodgings in that dress. That this was the more probable, because it appeared by the affidavit, that although he alluded to his dress generally, he asked only for a hat to wear instead of a military cap; and therefore that his remarking, when trying on the hat, that his uniform appeared above his great coat, might only have been intended to induce lord Cochrane to notice that it did so, in order to impress the colour of it on his memory; though, being connected by the latter with his previous observation, that he could not go to lord Yarmouth, or return to his lodgings in that dress, it induced him to offer him another coat in its stead.

That the said lord chief justice was aware that the reasons represented by lord Cochrane to have been assigned by De Berenger for an alteration of dress were probably the true reasons, so far at least as they applied to the military cap, which was proved at the trial not to have been the cap of his corps, and, consequently, such as he could not with propriety or prudence have worn on a visit to his commanding officer, nor returned in to his lodgings, without danger of exciting surprise and suspicion; and also, that it was actually the cap in which he had committed the fraud, and might have occasioned his detection; and that, as aforesaid, he was represented in the affidavit to have asked only for a hat to wear instead of his military cap, and therefore it was probable that he had previously used the general word "dress," and made the remark, that his uniform appeared, and accepted the black coat that was then offered him, for no better reason than that lord Cochrane might not eventually conclude that he had any motive to change the cap that did not equally apply to the green uniform; and that the recollection of his apparently equal inclination to change them both might produce the impression, that the cap which he then wore was as unconnected with the fraud as the green uniform itself.

That the existence therefore of such a motive in the mind of De Berenger as might have induced him to allude to, and change the description of dress mentioned in the affidavit, in the manner therein described, was perfectly probable, and consistent with the opinion entertained at the trial, that his immediate object, after the commission of the crime was, to provide against detection and punishment.

That the said lord chief justice did, as aforesaid, observe (page 485), "But it does not rest there, for he himself lends to this person the immediate means of his concealment, he lets him have a hat instead of his laced cap; and what had such a cap to do with a sharp-shooter's uniform?" That the said lord chief justice did thereby not only assume, without evidence or probability, that lord Cochrane knew what description of cap was usually worn by De Berenger as adjutant of lord Yarmouth's rifle corps, but that the cap in which he came to his house was not of that description; although it was obviously improbable that De Berenger should have worn his laced cap in the house of lord Cochrane in his presence; and that the probability was that lord Cochrane had only cursorily, if at all, seen the cap in question, and might very well be ignorant as to whether it was a laced cap or a plain, and in either case whether it was or was not his military cap. That the said lord chief justice did, as aforesaid, exclaim, "What had a laced cap to do with a sharp-shooter's uniform?" and that he had previously observed (page 478) "The uniform of the rifle corps is of a bottle-green colour, made to resemble the colour of trees, that those who wear it may hide themselves in woods and escape discovery there." But it appeared by the evidence of lord Yarmouth (page 376) that his "bottle-green uniform had a crimson cape," which had as little to do with the colour of trees as gold or silver lace; and therefore that his sharp-shooters might have worn laced caps as well as crimson collars, for aught that appeared either in evidence or probability to the contrary. That again, notwithstanding the said lord chief justice did as aforesaid exclaim, "What had a laced cap to do with a sharp-shooter's uniform?" the fact was, as has since, and might then have been ascertained, if the said lord chief justice had addressed the question to lord Yarmouth, that the cap usually worn by De Berenger, when on duty as adjutant of the said rifle corps, had a spacious gold band upon it with a long golden tassel suspended. That the question, therefore, "What had a laced cap to do with a sharp-shooter's uniform," would have been more appropriate if addressed as an interrogatory to lord Yarmouth, as a witness, than as used as an exclamation against lord Cochrane to the jury; that it would also have been more pertinent than several of the inquiries which were actually addressed to lord Yarmouth by the said lord chief justice, who, as appears by the minutes aforesaid (page 376), showed the star which De Berenger is said to have worn during the fraud, to lord Yarmouth, and asked him, "Whether the members of his corps wore any such decorations as that?" and also, "Whether if a gentleman should appear before him in an aid-de-camp's uniform, with that star upon his breast, and that other ornament appendant, he should consider him as a man exhibiting himself in the dress of his sharp-shooting corps?" which questions the said lord chief justice well knew that lord Yarmouth, if he answered at all, would answer in the negative:—and whether, "if a sharp-shooter belonging to his corps had presented himself to him in that dress, he would think it a very impertinent thing?" which question the said lord chief justice well knew that lord Yarmouth could only answer in the affirmative. That the said lord chief justice therefore addressed such questions to lord Yarmouth as could produce nothing that was not known before, and thereby used his privilege of examination as a vehicle for the conveyance of insinuations prejudicial to lord Cochrane.

That the said lord chief justice did as aforesaid observe (page 486), "Supposing him to have appeared in any disguise, it is the conduct of an accomplice to assist him in getting rid of that disguise." That the said lord chief justice was equally aware that it was the conduct of an artful and guilty man to impose upon an honest and unsuspecting one, and obtain assistance under false pretences; and that it was neither the conduct of an accomplice to proclaim the culprit nor the assistance afforded him. And the said lord chief justice made no observation on the obvious facility with which lord Cochrane might have concealed the circumstance of De Berenger's desiring or receiving a change of dress at his house, if on his part it had been a guilty transaction.

That the said lord chief justice observed as aforesaid (page 485) that "if De Berenger put that uniform in a towel, he must have pulled it off his back, for it was on his back before; and then lord Cochrane, one would think, must have seen him do it; what business had this man with a red aid-de-camp's uniform?" And that the said lord chief justice did also as aforesaid state to the jury (page 487) "that they would no doubt consider, whether, supposing him to have appeared before lord Cochrane dressed as the witnesses represent him to have antecedently been, from the circumstance of his so appearing, coupled with the fact of his afterwards walking off with that dress in a bundle, they were not satisfied that lord Cochrane was privy to, and assisted in, the scheme of effecting a deception upon the public." And thereby the said lord chief justice did, in effect, instruct the jury to form their conclusion solely upon the supposition that he appeared before lord Cochrane, as the witnesses represented him to have antecedently been, and not at all to take into their consideration the probability of his having worn that dress, in which, according to the only evidence to the point, he did actually appear; and did also in effect positively assert, that the dress which he put into the towel, was that which the witnesses had antecedently seen, and not a green uniform as sworn to by lord Cochrane; although he well knew that there was no evidence at all of his putting any uniform in a towel, except the evidence of lord Cochrane himself.

That the said lord chief justice did also, as aforesaid, state to the jury, "You have before had the animal hunted home, and now you have his skin, found and produced as it was taken out of the river, cut to pieces; the sinking it could be with no other view than that of suppressing this piece of evidence, and preventing the discovery which it might otherwise occasion; this makes it the more material to attend to the stripping off the clothes, which took place in lord Cochrane's house." That the said lord chief justice was aware that it was quite as probable a precaution on the part of De Berenger to sink the dress in which he had committed the fraud, if he had taken it off before he came into lord Cochrane's presence, as in his presence, because, in whatever situation he took it off, it would be evidence against him, if proved to have been on; and therefore, that proof of an attempt to suppress the evidence of the dress could only be indicative of the evil of the purpose for which it had been worn, and wholly immaterial to show in whose presence (if any) or what particular time or place it was taken off; and that the sinking of the dress at old Swan stairs (the mode of attempting suppression in evidence) did not make it at all the more material, in the view represented by the said lord chief justice, to attend to the stripping off the clothes, which took place in lord Cochrane's house: but that it did make it the more material in another point of view, because it was some indication that the dress so sunk was not that which he took off in the presence, or with the knowledge, of lord Cochrane, and carried away in a towel, but that it was a dress previously taken off and more securely concealed and carried away in the portmanteau; for if it had been any dress which De Berenger had not concealed from lord Cochrane, and which both of them were anxious to conceal from every body else, there could be no reason why the obvious, immediate, easy, and certain method of suppressing that piece of evidence should not have been adopted, of committing it to the flames, or otherwise disposing of it, in the room in which they then were, which was evidently preferable to the circuitous, troublesome, hazardous, and abortive expedient of carrying it out in a towel, a distance of five miles, to sink it at the foot of old Swan stairs. That it was most obvious, that if it was a dress which lord Cochrane felt interested to suppress, no mode of suppression was so glaringly eligible as that which his own fireside or his own trunks or drawers afforded; but that, on the contrary, if it was De Berenger only who was interested to conceal it, and not less so from lord Cochrane than any other person, he was under the necessity of carrying it out, and seeking elsewhere for the accomplishment of his purpose.

That by the minutes aforesaid, it appears that the said lord chief justice, when reciting the affidavit aforesaid to the jury, omitted several important passages, and among others, the greater part of the following, "That no other person in uniform was seen by me at my house on Monday the 21st of February, though possibly other officers may have called (as many have done since my appointment); of this, however, I cannot speak of my own knowledge, having been almost constantly from home, arranging my private affairs. I have understood that many persons have called under the above circumstances, and have written notes in the parlour; and others have waited there in expectation of seeing me, and then gone away; but I most positively swear, that I never saw any person at my house, resembling the description and in the dress stated in the printed advertisement of the members of the Stock Exchange." That the said lord chief justice (as appears by the said minutes, page 486) recited the concluding clause of the above sentence only, although the whole of it in connexion could hardly have been read without producing an impression that lord Cochrane when he wrote it, was in a state of unfeigned uncertainty and perplexity, as to whether the pretended Colonel Du Bourg had really been at his house or not, and that he was strongly inclined to an opinion that De Berenger was not that person.

That the printed advertisement alluded to in the affidavit, was not produced at the trial, or it would have appeared that the members of the Stock Exchange, on the authority of the post-boy and coachman, had as aforesaid given an erroneous description of the great coat; an inaccuracy which was calculated materially to contribute to an opinion on the part of lord Cochrane, that De Berenger was not Du Bourg; for if lord Cochrane saw De Berenger in green and grey, he could not easily conceive him to be the same person that was said to have been traced to his house in red and brown.

That the said lord chief justice was conscious that it was due to lord Cochrane, that the aforesaid advertisement should be read; and while reciting the clause before mentioned, "I most positively swear that I never saw any person at my house, resembling the description and in the dress stated in the printed advertisement of the members of the Stock Exchange," he observed, "which I suppose will be read;" although he had no reason to believe that it would then be read, as the cases on both sides were closed, and he was then charging the jury.

That the said lord chief justice, as appears by the said minutes (page 486), while stating the affidavit of lord Cochrane to the jury, passed over, without notice or remark, the express and solemn averment, upon oath, of lord Cochrane, that he had no concern, directly or indirectly, in the fraud.

That the denial upon oath was too pointed and unequivocal to escape the observation of the said lord chief justice, and yet he did not bestow upon it even a momentary pause, or represent it to the jury as entitled to any degree of notice or consideration. That the said lord chief justice did not at all advert to the previous character of lord Cochrane, and, though reminded thereof by the defendant's counsel, he did not appear to feel any thing improbable or repulsive in the supposition, that a person who had lived from early youth to the meridian of life in the view of the public (not only without censure, but with applause) should suddenly become lost to all sense of right and wrong, and plunge himself into the guilt, not only of conspiracy and fraud, but the still higher crime of wilful and corrupt perjury.

That therefore the said lord chief justice Ellenborough, at the trial aforesaid, in virtually representing that the evidence of William Crane, to the entrance of De Berenger into lord Cochrane's house on the morning of the 21st of February 1814, in a red coat, was sufficient to falsify the declaration on oath of lord Cochrane, that he appeared before him in a green uniform; and in abstaining from all comment upon the important circumstance, that De Berenger had with him a portmanteau; and in omitting to recite the evidence that it was big enough to wrap a coat up in, and thereby avoiding to call the consideration of the jury to the probable contents of that portmanteau, and stating, on the contrary, that it did not appear that De Berenger had any means of shifting himself; and in stating, that when seen by lord Cochrane, De Berenger must have had that dress with him (evidently meaning upon him) in which he had come in the coach, notwithstanding that lord Cochrane was then in another and distant part of the town, and that De Berenger might have changed his dress before lord Cochrane's return; and in asserting, that the dress which he wore, down to the moment of his entering the house, was a star, a red coat, and an appendant order of masonry, although neither the coachman who brought him to the door, nor any one of the witnesses who saw him after his arrival in London, deposed that he wore either star or order at that period; and in representing lord Cochrane as responsible for the veracity of the reasons which he stated to have been assigned by De Berenger, for desiring an alteration of dress; in denying that the reasons so assigned were either true or probable; and in omitting all consideration of the liability of an unsuspecting person to be deceived by the representations of a person of supposed veracity; and in representing that De Berenger could have had no private reasons unknown to lord Cochrane, and no reason whatever for the change of his green uniform; in asserting, that the uniform of the rifle corps, as described by lord Yarmouth, was the very dress alleged by lord Cochrane to have been worn by De Berenger; and in representing the evidence of lord Yarmouth to the fitness of his appearing in the one, as negativing the unfitness of his appearing in the other, and as proving that lord Cochrane knew at the time that no such unfitness existed; in amplifying and pressing the evidence of lord Yarmouth on that subject, and in addressing various superfluous and insidious questions to that nobleman; in representing lord Cochrane to have known that the military cap worn by De Berenger, was not the cap of his corps, without evidence or reason to conclude that he had ever seen either one or the other; and in exclaiming, without previously informing himself on the subject, and totally unwarranted either by evidence or fact, "What had a laced cap to do with a sharp-shooter's uniform?" In asserting, that if he appeared in any disguise it was the conduct of an accomplice to assist him in getting rid of that disguise, and avoiding the equally obvious consideration, that it was not the conduct of an accomplice to proclaim the culprit or the assistance afforded him; in asserting, that the proof adduced of an attempt to suppress the evidence of the red coat by sinking it in the river, made it the more material to attend to the stripping off the clothes, which took place in lord Cochrane's house, and thereby insinuating that the sinking of the dress was indicative of its being the same dress that was taken off with the knowledge of lord Cochrane, although it was obviously immaterial and nugatory in that point of view, and that it was equally probable that De Berenger should have attempted to secret the dress of his fraud, whether taken off before or after his appearing in lord Cochrane's presence; and in omitting all consideration of that view of the subject in which it was material, namely, as indicating a necessity on the part of De Berenger of concealing that dress from the view of lord Cochrane, and of secretly removing it from his house, and of seeking elsewhere for the means of its subsequent concealment and suppression; and in insinuating to the jury, that their conclusion could only be formed upon the supposition of De Berenger having appeared before lord Cochrane dressed as the witnesses represented him to have antecedently been; and in omitting to recite several passages of lord Cochrane's affidavit which were unalterably exculpatory; and in passing over without pause or remark the solemn declaration of lord Cochrane upon oath, that he had no concern either directly or indirectly in the fraud that had been committed; and in saying and doing as herein set forth, was and is guilty of partiality, misrepresentation, injustice, and oppression.

After the charges had been read, the Speaker wished to know from the noble lord what course he intended to take on them?

Lord *Cochrane* said, that at present he should only move that they be printed. He did not think it right to take any further proceedings on them until members had had an opportunity of examining them deliberately, which they could not do from the cursory manner in which they had been read. He then moved that they be printed.

General *Matthew* seconded the motion. He professed himself altogether ignorant of the merits or demerits of the question at issue, not having been in the country at the time when the proceedings took place; but he thought that the charges ought to be printed for the use of members, both in justice to the noble lord who laid them, and that the noble judge and his friends might have an opportunity of rebutting them.

The question was then put, and the charges were ordered to be printed.

HOUSE OF COMMONS.

Wednesday, March 6.

Petitions against the Property Tax] Petitions were this day presented against the property tax from the county of Gloucester, the town of Marshfield, the farmers of Lacock Wilts, the inhabitants of Chatham, the inhabitants of Plymouth, the farmers of Wigtown, the inhabitants of Marlborough, the tenants &c. of Mid-Lothian, the inhabitants of Durham, the inhabitants of Bedford, the magistrates, &c. of Dysart, persons interested in agriculture in Peterborough, the inhabitants of Wareham, Aylesbury, Aston Abbots, and Higham Ferrers, the landholders of Rutland, the Freeholders of Essex, and the merchants, &c. of Dundee.

Sir *W. Geary*, in presenting the petition from the inhabitants of Chatham against the property tax, observed, that he fully agreed with the petitioners, that the tax should be given up in time of peace. In those arduous times, when the necessities of the country called for the tax, the people had cheerfully born its pressure, but those times were passed, and he conceived that the representatives of the people should no longer consent to its continuance. The circumstances under which the tax was first brought forward, and those under which it was now proposed, were materially different. On the first occasion, the distress of the country was so great that it was almost impossible to raise money by loan, at present no such difficulty existed. On the whole, the tax at this time appeared to him unjust and impolitic, and he would therefore take every opportunity of opposing it.

Sir G. Clerke having presented a petition from the farmers and other occupiers of land in Mid-Lothian, against the property tax,

Mr. *Horner* bore testimony to the great respectability of the persons by whom the petition was signed; and insisted on the attention to which their prayer was entitled by the House, from the circumstance of their having borne the heavy pressure of all the war taxes with so much cheerfulness.

Sir *G. Clerke* did not mean to deny the respectability of the petitioners, but at that same time, he thought it right to express his dissent from their prayer. He did not know under the present circumstances of the country, a more just or fair way of raising those supplies which the public service now called for, than the property tax.

Mr. *Lambton*, in presenting the petition from the inhabitants of Durham, against the property tax, observed, that the petitioners were of that class of persons, who had been called clamorous against the tax. They were at present in a most economical mood, and evinced what a noble lord had described to be, an ignorant impatience of taxation. They prayed strongly against the proposed peace establishment, and for the reduction of the public expenses, but above all they implored the abolition of the property tax.

Lord *Nugent*, on presenting the Aylesbury petition against the property tax, said:—Sir, I hold in my hand a petition from the town of Aylesbury, and in presenting it, I feel a satisfaction (not enjoyed by some few gentlemen who have presented petitions on this subject), the satisfaction, I mean, of concurring most fully and warmly in every sentiment expressed, and every prayer, contained in the petition of my constituents. Sir, they petition against the principle of the income tax, as unjust, inquisitorial, and unconstitutional. They pray against its revival, under any modifications, because they conceive such revival would be a forfeiture of the pledged faith of parliament. They petition against the enormous military establishment proposed to be kept up in time of peace, because they conceive such an establishment to be the real cause of these intolerable and undiminished burthens on the people of England. They conceive besides that a large standing army in time of peace is a body highly dangerous, highly unconstitutional, and highly offensive to the very spirit and essence of our free government, as established by our ancestors, the fathers of the British constitution. Sir, they lay before this House the distresses of the people, and they complain that these times of general pressure are met, on the part of government, only by increased profusion in every branch of the public service. It is but fair to these petitioners to say, that the greater number of those whose names are affixed are well known to me. They are respectable and loyal men,—men who have cheerfully and manfully met every sacrifice which belonged to the stormy times in which they lived—men whose public spirit would never slumber while their country was in difficulty or in danger. But they do now feel, and feel strongly, that they are taxed to the uttermost farthing, not to enable their country to resist with effect a formidable and an inveterate public enemy, but to encourage and support a military taste, and out of that, perhaps, a military system, in peace, most dangerous to public liberty.—Sir, these petitioners are of a class of men generally who suffer the most severely from the operation of this tax. They are not merchants. They are not manufacturers. They are in general graziers and dairy farmers, who hold in their hands highly valuable old grass lands, at a very high rent, and who are obliged to stock those pastures with a very expensive sort of stock. Sir, they complain to me that they can neither make their rents, nor stock their farms. They are consuming their capital in the means of life. They complain to me that there is one kind of property for which they are assessed highly, a property which in fact is in many cases merely ideal. A property which in many cases does not exist, but for which they are taxed as if it did exist, and for their benefit, I mean rent. They instruct me that, as between the landlord and the tenant, 17½ per cent. is paid upon a rent which the latter cannot pay and the former cannot collect. Sir, this state of things cannot, and will not last. The Yeomanry of England will and must resist this odious and profligate system, by every legal means within their power. They will not doom their children to want and beggary, themselves perhaps to bankruptcy and a gaol, in order to build thatched cottages for the Prince Regent, or to croud his parades with tawdry uniforms in time of peace. An English uniform was once, (and lately too) respectable wherever it was seen. It was to the English soldier, all over the world, whithersoever he went, at once the record of his own valour, and the symbol of his country's greatness. But far different will now be the recollection with which that uniform will be seen, in peace, on the parade at Brighton or the Horse-guards, from the recollection of the glorious days of the Peninsular and Waterloo.—But one word more, Sir, on the subject of this petition, before I move for leave to bring it up. It lay but three days for signatures, during which time upwards of two hundred names were affixed. Had it been suffered to lay three days longer, I believe I can pledge myself that considerably above twice that number of signatures would, in addition, have been obtained. But the petitioners saw, or fancied they saw, an intention manifested by ministers to hurry on this measure at a rate which made them apprehensive that perhaps one day of delay might leave them without the opportunity of humbly entreating the legislature to pause before it sanctioned a tax, in their opinion, so oppressive, injurious, and so little consonant with the spirit and tenor of the English constitution.

Sir *Gilbert Heathcote*, in presenting the petition from the land owners of Rutland, observed, that it was not the petition of the county, but that the petitioners were respectable farmers, graziers, and tradesmen—classes of men who had seldom busied themselves with politics; but who now petitioned because they were anxious for that redress which parliament, as the representative and organ of the people, ought to be desirous to afford. The numerous petitions that had been received left no doubt as to what should be done. It was his own opinion that the great increase of paper money had been a great cause of the evil. The bullion committee suggested that the bank, should narrow its accommodations. Grain afterwards fell, and the farmer was depressed. The country banks refused notes any longer on the security of farm stock. Hence arose almost the non-appearance of what had constituted a great part of the circulating medium. He did not mean to say that the bullion committee were wrong: he was not sufficiently acquainted with the subject, but he thought that the great issue of paper had tended to raise the price of corn. It was notorious that for fifteen years the paper circulation had been out of all proportion to that of the metallic currency. This occasioned a disadvantage to us in foreign exchanges. The foreign policy we had so long pursued was dangerous. If we interfered so much in the affairs of continental nations, the uttermost farthing would soon be extracted from the people of this country. Whatever ministers might be advised to do, there was but one positive ground of proceeding for a remedy. The greater the extent of our present reductions, the more certainty there would be of our burthens being lighter in future. Neither the security nor the dignity of the country required these enormous establishments in time of peace. It might be going too far to attribute to the chancellor of the exchequer, or the rest of the ministers, a design to overturn the constitution by taxation and military establishments; but really, when there was no shadow of reason for such extravagance, it was quite natural that a considerable degree of suspicion should be excited. The petition stated facts respecting the weight of taxes and the low price of corn, and the alarm at a war establishment during peace. At the lowest rate of making out a peace establishment, it would amount, in the year after this, to 21 millions. The high duty on malt amounted very nearly to a prohibition. The petition also called the attention of the House to sinecures and pensions given to those whose services had not merited them, which ought to be abolished. He had another observation to make. Since he had the honour of a seat in that House, he had never heard such extraordinary declarations as he had last night heard from a noble lord not now present. They went the length of destroying the whole right and practice of petitioning. The noble lord found fault with members for entertaining the petitions of the people. Never had he heard before such improper and unconstitutional doctrine from any minister. Why, even the petition of a condemned criminal was attended to. He was surprised at such monstrous propositions from the noble lord. Were members to be called factious and seditious, because they entertained and supported the people's petitions? That House might as well be converted into a chamber, in which members might wait till they heard the propositions and opinions of gentlemen on the other side, then give their consent to them, and retire to their homes. As long as he should have a seat in parliament, whenever he received petitions from the people against any measure of administration, from whatever quarter, he should stand up for the right of discussing them in that house. If factious motives were to be ascribed to members for acting so, he would say farewell to the free constitution of Great Britain.

Mr. *Swan* observed, that the petition which had just been presented was not a county petition, and he should state to the House how it had been signed, to show how easily a petition might be procured, when one or two active gentlemen set themselves to work for that purpose. There had been no requisition made to the high sheriff to call a meeting. Some seven or eight persons had agreed to the petition, and went about for the purpose of procuring the signatures which were now to it. A counter-meeting had not been called for the purpose, because it was known that several of the great landed proprietors were not averse to the tax, conceiving, as they did, that it was called for by the necessity of present circumstances.

Mr. *Finlay* objected strongly to the property tax in the present distressed state of every class of the community. He contrasted the circumstances of the country at the time of its first introduction, with those of the present day, and contended, that the most oppressive way by which the sum demanded could be raised, was the property tax. He would ask the chancellor of the exchequer, if he thought the country now able to bear a tax of six millions, did he not think that it could better bear the interest of that sum? Why, then, should he press the tax, knowing, as he must, that the general distress was so great? He thought that the best way would be to raise the money by loan, which would release the public from so very heavy a burthen, until they were better able to bear it.

Sir *C. Monck*, in answer to the speech of the last speaker but one, observed, that the petition which the hon. baronet had presented was not a county petition. The hon. baronet had himself so stated at the commencement of his speech, but it was not the less entitled to the notice of the House on that account. The hon. gentleman had said, that a meeting of the county had not been called, for fear of the large proprietors who were thought favourable to the tax. If such were the motives of the petitioners they acted right. If, as probably was the case, the large landed proprietors were inclined to support the measure of ministers, and better able to bear such support by paying the tax, the small proprietors had a right to meet among themselves and petition against it, when they found it would press so heavily on them.

Sir *Gerard Noel Noel* said, that though the petition which his hon. colleague had presented, was not from all the inhabitants of Rutland, yet it was from a very respectable portion of them. It was the duty of that House to receive petitions from every class of the community, when they were respectfully drawn up. But perhaps the objection to this petition arose from its not being very palatable to gentlemen on the other side. As to the tax itself he did not think it so objectionable when properly modified, but he thought under present circumstances it would be extremely difficult to collect it.

Lord *Rancliffe* objected to the extraordinary language used by the last speaker, who supported the tax, but at the same time said, that it would be difficult to be collected. If such difficulty should exist, it would arise from the inability of the people to pay it, and that inability would be an argument against it. To him the tax did not appear at all necessary, and it was impolitic to press it at the present moment, when the opinion of the people was so strongly against it. He could not sit down without mentioning a circumstance which had come to his knowledge that morning. A requisition had been signed by several respectable persons, for the purpose of convening a meeting at Leicester; this had been addressed to the mayor of that town, who refused to call the meeting. The House would probably not be surprised at this refusal on the part of the mayor, when he informed them that this very mayor was the receiver general of the county.—[Hear, hear!].

Mr. *Dickenson*, to show the severity of the existing mode of levying the tax, instanced the case of Mr. Taylor, a member, who stated by letter to the commissioners of taxes, his inability to pay the tax at the time desired, requesting suspension of the exchequer process with which he was threatened. By the commissioners he was referred to the chancellor of the exchequer, who, after answering one letter, referred Mr. Taylor back to the commissioners. The commissioners replied, that they did not feel authorized by the act of parliament to grant the relief prayed for. He then applied to the chancellor of the exchequer, who referred him to the commissioners of the taxes. He wrote a second time to the right hon. gentleman from whom no farther answer had been received.

The *Chancellor of the Exchequer* said, that when he was so applied to, he certainly should feel no difficulty in giving an explanation. He did answer the application of the hon. member alluded to in the first instance, as had been stated. In fact, when the application was made to the commissioners for relief by that hon. member, it did not, under the circumstances of the case, come under the provisions of the act of parliament, or the orders from the treasury. On the second application to him by letter, he certainly did not feel himself bound to return a very particular and distinct answer, because he had found that his first answer had been published in the Morning Chronicle. He had been informed, that the estate in question was placed under peculiar circumstances, and that the loss complained of was not one arising out of the pressure of the times, but from some peculiar management. The commissioners thought the same, upon the information they had received. He was convinced that the commissioners, in this as in all other instances, so far as he was aware, had executed their arduous and painful duty with the utmost carefulness, and he had certainly some feeling for them on these subjects. To explain this transaction, so far as to show that he had not been wanting in attention to the hon. member alluded to, was his chief object in rising. He was now waiting for the pleasure of parliament to be known respecting the tax. But he should observe that an hon. member had taken too narrow a view of the grounds on which the introduction of this tax originally proceeded, in speaking of it as intended to avoid the inconvenience merely of a large loan. Neither Mr. Pitt, nor lord Sidmouth, nor lord Henry Petty (the present lord Landsdowne,) could have proceeded on so narrow a principle. They considered it important to provide a large supply within the year, in preference to the indefinite extension of permanent taxation by the continual accumulation of debt, as had been the case; and thereby to provide effectually for the vigorous prosecution of the war, and for the future relief of the public in peace. These two points had been obtained, and the public had been relieved of from nine or ten to twelve millions. He begged the House, therefore, to consider in what a different situation the affairs of the country were placed from the state they would otherwise have now been in. The burthens would have been fixed on the country for a long period of time, had not vigorous measures been adopted. Before the establishment of the sinking fund, the permanent taxes were for a period without limitation. But, thanks to Mr. Pitt, and to the wisdom and firmness of parliament, that was not now the case. It should be recollected how large a part of our resources was pledged on different accounts, which was certainly a very serious consideration; yet he felt himself far from thinking that our finances were in a hopeless, or a desperate, or an alarming situation. Let the House consider how we had been situated at various periods preceding the war. The burthens laid on the country during the war had been, upon the whole, collected with so much wisdom and success, that now the consolidated fund had a greater surplus than in the year 1790. The augmentation of the funded debt had been so proportionally met by the increase of revenue, that there was now even a larger surplus than had been calculated upon by the committee of 1791. They calculated upon a million in the sinking fund, with a surplus of two millions. We had now a surplus of 2,500,000*l.* with a sinking fund of 11,000,000*l.* There was therefore an improvement in the consolidated fund of 10,000,000*l.* He had been, and might again be told, that his views would all prove fallacious. For his part he professed but an imperfect judgment concerning futurity, though his anticipations of future events had been much more frequently realized than those of gentlemen on the other side. But this much he would undertake to say, that no diminution in the revenue had been experienced up to March. An hon. baronet had dwelt on the distress which he thought arose from the depreciation of the value of currency. He was not at that time disposed to enter into the merits of that question, on which there were various opinions; more particularly as it was not materially connected with the present argument. But if the hon. baronet entertained really the opinions he had professed, he ought to give his support to this measure; for, of all taxes that could be imposed, this tax would have the smallest tendency to depreciate the value of the circulating medium. His object had been principally to give some satisfactory statements respecting what had fallen from some gentlemen; and he had further to observe, that measures had been taken to prevent any penal proceedings.

Mr. *Babington* rose, in order to defend the character of the principal magistrate of Leicester, from the reflections which had that night been made upon his conduct. He had received a letter from that gentleman, explaining his conduct upon the occasion that had been noticed. In the letter, he stated that his objection to comply with the requisition presented to him for a meeting against the property tax, arose from his unwillingness to convene an assembly, which, from the terms of the requisition, applied only to those inhabitants who were against the tax. Such a proceeding he considered but *ex-parte*, and not a fair, deliberative measure. In this opinion, he had been countenanced by the other magistrates, and accordingly refused to sign the requisition. When, however, it was modified so as to address itself to persons who might be favourable to a continuance of the tax, he then signed the requisition. To have signed it sooner he considered would have been to give an opportunity to those who disliked the tax to express that opinion without opposition. This was the substance of the letter which he had received. He could further add, that a meeting was held yesterday at Leicester, at which a petition had been agreed to against the property tax in any shape, he believed, for he had not yet received the petition. What he had that night troubled the House with, he conceived but justice to a worthy individual who had not an opportunity of defending himself from the attack that was made against him. Before he sat down, he could not refrain from advising gentlemen in that House to be cautious how they made charges against persons in the country merely upon report. If members did wish to indulge in such accusations, they ought at least to consult those who might be qualified to correct exaggerated statements, owing to their local information.

Mr. *Brougham*, after a justification of his noble friend who had noticed the conduct of the mayor alluded to, observed, that he could mention an instance of undue interference relative to a petition against the property tax, intended to have been presented from a town of far greater importance than the one just mentioned. The town to which he alluded was nearly the third in the empire—it contained a population of about one hundred thousand, yet it unfortunately was not represented in parliament, and therefore he could not avail himself of that application to members of local information which had been suggested by the hon. gentleman who spoke last. He believed, however, that what he was about to state was perfectly correct. In Manchester a requisition had been signed by one hundred of the most respectable citizens for a meeting to petition against the property tax. To this requisition the magistrates refused to accede, under pretext that a counter-requisition was going about for signatures; but if this were really the case, it must have been the strongest argument possible for convening a meeting on the subject.

Lord *Castlereagh* protested against the system adopted by the hon. and learned gentleman of canvassing the conduct of persons in the country on slight grounds. The character of a worthy individual would have been most seriously injured that evening, had not an hon. member been fortunately possessed of such information as proved the charges unfounded. It would be a caution to the House not to give ear to the unfounded assertions. If the system of running down individuals in this manner, was adopted, it would introduce an idea in the minds of the people, that parliament was not disposed to receive the petitions of the subject with the respect to which they were entitled. He should now advert to what had taken place at an earlier stage of the debate. His right hon. friend the chancellor of the exchequer had last night stated the principle of the modifications which he should propose in the property tax to relieve the people. [Hear, hear! and a laugh on the opposition side.] He really knew of nothing so ill received on the other side of the House, as the proposal of any indulgence to the public. They seemed to view with regret every thing which tended to lighten the tax. He did not consider it important for the winding up of the expenses of the war, that the payments under the property tax should be made during the two years that the impost was to be retained. Three, four, or even five years might be allowed for that purpose, without any inconvenience to the public service, as exchequer bills might be issued to be met by the produce of the tax as it should be collected. Much relief would be extended to the subject in this manner, as well as by some regulation in the issue of exchequer processes. He thought it his duty to apprize the gentlemen opposite of an important fact on which he intended to argue when the discussion on the property tax should commence, that they might look at it and prepare any arguments their ingenuity might suggest to controvert it. The part of the question to which this fact would apply, was that which had been assumed with so much energy by a right hon. gentleman opposite, that to continue the property tax in peace, would be to commit a breach of public faith, even if it were to wind up the expenses of the war. He would show that in attempting to clamour down this tax, that right hon. gentleman had only deprecated the conduct of his own friends. He had thus volunteered against his political friends, and given him (lord C.) an advantage which he did not seek. He should now proceed to establish the fact, that in passing and augmenting the tax on property as a war tax, the gentlemen opposite had not conceived themselves precluded in good faith from continuing it in time of peace. In the table B, 2nd of the plan of finance, brought forward by the chancellor of the exchequer under the administration of lord Grenville, it would be seen that minister proceeded on the supposition that the country might be carried through the war at an expenditure of 32 millions per annum. The calculation was in itself so far wrong, that since that period the expenditure of the country had not been under 52 millions. The loans which would be necessary were to be mortgaged on the war taxes; not on the property tax alone, but on the war taxes generally. They were then estimated at nearly 20 millions, their amount being 19,800,000*l.* Supposing that system had been adopted, and the yearly expenditure to have been 32 millions, the whole of the war taxes, including the property tax, would have been exhausted and mortgaged in the year 1819; and, as the expenditure had been annually 52 instead of 32 millions, the whole of those taxes would have been mortgaged in 1815. The chancellor of the exchequer of the day had certainly said, that if the war lasted only seven years, the property tax would not be mortgaged; but that was not saying it should not in case the war should last, and in fact it had lasted longer. On the contrary, it must then have been mortgaged with the rest, and by this very plan the noble lord (the present marquis of Lansdowne) recognized that although the act was to expire with the war, yet if the war continued more than seven years, it must share the fate of the other taxes. This should be discussed on a future occasion [Hear, hear, hear! from the opposition]. He wished the House to go to the bottom of it. Had that noble lord's plan been adopted, when in 1819 all the war taxes and the property tax should have been absorbed by mortgage, the country would remain without any resource but the surplus of the consolidated fund. Now, it not only enjoyed the surplus of that fund in an improved state, but it had a revenue of six millions out of those very war taxes that would have been absorbed by the measure. He would argue, that never had a principle been more solemnly recognized than that all war taxes, including the property tax, would be mortgaged, and that there was no parliamentary incapacity to effect that object.

Mr. *Brougham* rose in explanation, and took occasion to observe, that the apple of discord which the noble lord had endeavoured to throw amidst the members of opposition, would, he trusted, fail of the effect intended.

Mr. *Wynn* confessed he was extremely surprised at the attempt made by the noble lord to prove that the plan of finance of the marquis of Lansdowne in 1806, went to the mortgaging of the property tax, and for a period which might eventually have considerably exceeded the duration of the war: and that from this design of mortgaging the tax, the administration of 1806 clearly showed, that in their judgment it did not necessarily cease with the war. The first thing to be done after an assertion of this kind, was to look at the plan itself; and in it they would find it stated, that there was no case which could reasonably be supposed so unfavourable as would not admit of a relief from the property tax on the very first year of peace. The noble lord had stated, that by this plan, if the war had continued till 1819, a part of the property tax must necessarily have been mortgaged. He did distinctly deny, on the faith of an honest man, that such was the case. In 1819, long annuities to the amount of 239,000*l.* and other annuities to a less amount, would have fallen in, and these annuities were destined to the discharge of the sums for which the noble lord had maintained the property tax to have been pledged. In the plan of finance it was distinctly said with regard to the property tax, that it was a tax "to a relief from which the country will naturally look on the return of peace." By the act of parliament, embodying into a law the principles of the financial statement which had been previously delivered to every member, the war taxes to be pledged were distinctly stated to be the duties of excise and customs. It having been mentioned, that misrepresentations had gone abroad with respect to the war taxes to be mortgaged, and lest it might be supposed that it was intended to mortgage the property tax, these war taxes were expressly declared to be the duties of excise and customs. He considered it his duty to observe thus much in justice to his friends and himself, to whom it had been imputed as an inconsistency, that they had supported that plan and opposed the present. Whether that plan had been calculated on wise principles or not, it was not for him to say. On this subject the right hon. the chancellor of the exchequer was best qualified to speak, from the part which he had in it, and it was to him the House had to look for the defence of the plan. It was enough for him to have shown that in that plan it was distinctly stated, that no case could be so unfavourable as not to admit of a release from the property tax on the first return of peace. It was most unfair, therefore, to impute to those members who, in 1806, had voted for the property tax, an inconsistency, because they would not now support a renewal of the same tax on the return of peace. He would adduce an obvious illustration of the principles which had guided their conduct on both occasions. He himself, for instance, had voted several times for a repeal of the Habeas Corpus act, a measure which was certainly most unconstitutional but still absolutely necessary, under the particular circumstances in which the country was placed. But because he had voted for this measure under such circumstances, was he therefore to vote for a perpetual suspension? In like manner, if the king's ministers in 1806 had been induced to continue a tax which was at first unconstitutional, but justified by the magnitude of the war in which the country was engaged, were they to be held bound to support all other ministers who should propose to continue the tax, after the termination of what alone could render it justifiable.

The *Chancellor of the Exchequer* rose amidst loud cries of spoke and chair.

The *Speaker* observed, it certainly was the rule of the House, that no person should speak twice on the same question; but it was also the practice of the House, when any personal appeal was made, that the person to whom such appeal was made should be allowed to be heard.

The *Chancellor of the Exchequer* having been allowed to proceed, said, as an appeal had been made directly to him, he should be wanting to his own character, if he did not immediately afford some explanation to the House. He had stated generally, that the continuance of the property tax in a time of peace was a question of discretion, and not one of necessity. In page 17 of the statement of the plan proposed by the marquis of Lansdowne, and delivered to the members of the House, it would appear that a great variety of war taxes from 1814 to 1826 were mortgaged, and that the property tax was necessarily involved in them. Had that arrangement been adopted, and had the war continued so long, the property tax must infallibly have been mortgaged. It was stated in it, that if peace should be concluded even after 14 years of war, the country might have hopes of the property tax being discontinued—That with respect to the property tax, it could not be pledged at all till after 7 years supposing the war to last so long; and after these 7 years, it could be pledged so long as the war continued, and till parliament enabled government to relieve the country from that tax. It was not, therefore, a question of good faith, but of discretion; and it would be doing great injustice to the character of the noble lord who proposed the plan of finance, to suppose that he could have been so wanting in good faith to the country, as to pledge that which he did not conceive he had a right to dispose of.

Mr. *Ponsonby* thought the right hon. gentleman had been singularly unfortunate in his explanation. He had attempted to show them, that by the plan of finance some part of the property tax might have been mortgaged in time of war, forgetting, that by the same paper no time was conceived to be so unfavourable as on the supposition of any part of the tax to be so mortgaged in time of war that it could not be redeemed in the very first year of peace. They might as well attempt to reason away the words of an act of parliament as the words of that paper. The noble lord had been pleased to say that he (Mr. Ponsonby) wished a personal triumph on this occasion—that he wished to distinguish himself from his friends on the subject of the property tax. He had never endeavoured at any such distinction; he had said that he never gave his vote for the tax, and that he never should have given his vote for it. His friends might have one opinion and he himself another on this subject, and he could assure the noble lord that nothing was ever less said for the sake of personal triumph. With respect to political character, his own opinion of himself was not much affected by any thing which the noble lord could say of his conduct, and he was also sure that he would never stand so high in the opinion of his friends as when that conduct was condemned by the noble lord. The noble lord had talked of a feature of the present clamour. He always wished to understand what any thing meant before he replied to it. He had, for one, contended that the legislature said to the public in as strong terms as language could convey, that the tax would not be continued more than six months after the conclusion of a definitive treaty of peace; and this was the sense of the country respecting the tax, though the noble lord chose to put his own construction on the engagement between parliament and the country. But whether he would ask, was the country to take the meaning of the engagement from the act of parliament itself, or the construction put upon it by the noble lord?

Mr. *Baring* said, the whole of what the chancellor of the exchequer had stated amounted to this, that a plan had been submitted to parliament which would have enabled the country to go on for seven years without additional war taxes, and without touching on the property tax. This was, at all events, something better than the plan of the right hon. gentleman, by which, at the end of four years, had the war continued so long, the country would have been completely at the end of its resources. In every part of the paper before alluded to there not only appeared an extreme reluctance to touch the property tax, but the plan contained in it was one by which in all human probability, that tax never would have been touched. Nobody ever contended that it was not in the power of parliament to mortgage the tax; but what they contended was, that the tax never having been mortgaged, and the country being always led to expect that the tax would expire at the termination of the war, to renew it now during peace would be a complete breach of faith with the public. If the tax had been mortgaged it would have been no breach of faith with the public to have continued it till the redemption of such mortgage, even some time after the termination of the war; but as it was not mortgaged, there could not be the smallest pretence for its continuance in a time of peace. The strongest proof that such was the opinion of the right hon. gentleman himself was, the cunning device to which he had resorted last year, of omitting the words "and no longer"—a device which had that day at a most respectable meeting in the city, been very generally reprobated as unworthy of a minister of this country. This he said without meaning any disrespect to the right hon. gentleman, for whom personally he entertained the greatest respect. With what intention could this have been done, but to weaken in some degree the pledge between parliament and the public? The country was now agitated from one end of it to the other, and conceived this renewal a direct violation of faith. What answer had been returned to this? None whatever—and therefore, he took the charge of faction and clamour to be perfectly senseless, as far as respected the country. With respect to what the noble lord had said, as referring to the conduct of private individuals as he called them, but which private individuals were actually men in important public situations, he hoped when any man thought proper to act as the mayor of Leicester had done, that his conduct would always be brought before the House. When they found a person holding one of the most lucrative government offices frustrating the wishes of the people, and preventing them from having an opportunity of expressing an opinion on a subject in which the country was so deeply interested as the property tax, no terms could be too strong to be made use of in speaking of his conduct; and he believed that his hon. friend (Mr. Babington) had given a more favourable opinion of that person than he deserved. As to the Boroughreeve of Manchester, it was evident that his whole object was to make himself acceptable in a certain quarter. The House would see the great difficulties into which they would get by the continuance of this tax. Ministers had endeavoured to signify to the country gentlemen that they might expect any price for their support; and had proposed what was wholly unexampled in the history of the country. He hoped those gentlemen, however, would not swallow the bait, but hold out; for they must be well aware, that after using the influence of one class to oppress another the next thing would be to call in that other class to oppress them in their turn. No measure could be for the interest of any class, but such as were consistent with general justice. The whole of their plan, with all its individual cases and exceptions, and its long credits, would be found a most false and miserable financial measure. This miserable end of the property tax was only to be good for two years, if any reliance whatever could be placed on the promises of ministers. Now it was impossible that the tax could produce five millions each year, in the manner in which it was to be proposed. He was the last man who would wish the House to infringe on the public credit of the country. But when he considered the difficulties in which they were to be involved with all these exceptions; the soreness and irritation which the country could not avoid feeling; and that after all they could only get ten millions out of it, every gentleman would see how preferable it was to give up this ten millions altogether. What burthen would this ten millions of debt create? Nothing at all when put in competition with the distress which the tax would occasion. The noble lord had told them, that it was the interest of the country gentlemen to put up with this measure; as by preventing the government from borrowing it would throw so much more capital into the market. But even supposing this to be the case, the whole vanished by what he afterwards announced of government being to borrow on speculation, so that the guineas would go out of their pockets, and government would also be borrowing the whole of those two years of distress. The right hon. gentleman had told them of the prosperous state of the finances of the country, and that the sinking fund amounted to twelve millions. Now, what would be the result of relieving the country from two years property tax? These ten millions would require a charge of 600,000*l*. So then all this flame had been kindled throughout the country, merely to save a charge of 600,000*l*. Had the right hon. gentleman attended the meeting that morning, he would have seen many of his warmest friends expressing themselves in the strongest terms against his proposal. To get rid of all this would only occasion a charge on the sinking fund of 600,000*l*. And he would ask, would the public credit be affected by this reduction of the sinking fund? It appeared to him surprising that government should persist in this tax contrary to the sense of the country, and that they should select the next two years as the most proper for carrying it into effect, when by a simple charge of 600,000*l*. the whole would be provided for. The noble lord had held out a seductive bait to the landed interest, but they were not the only sufferers at the present moment. The noble lord was not aware of the distress felt by the commercial world as well as by the agriculturist. During years of such unexampled difficulty as the next two, the discontinuance of this tax would be the greatest relief that could be supposed. The noble lord had called the voice of the nation factious clamour; but unless he succeeded in his artful plan of opposing one class of subjects to another, he would find that it was a clamour to which he must yield, since it expressed the sense of sufferers of all ranks, professions, and employments.

Mr. *Lyttelton* felt it almost useless to add another word to expose the poor equivocation attempted on the other side of the House, which, if established, could not affect him and others who had become members since the year 1807. The object was, to divert the attention of the country from the real question to a point upon which no judgment could be formed but by those who had all the minute details before them. The same artifice had been employed by the noble lord, when he complained that the modifications were received with dissatisfaction by the opponents of the measure: the truth was, that no alterations could render the tax tolerable, and the people demanded that it should be no longer allowed to oppress them. The manner, as well as the conduct of the noble lord, were most disrespectful to the House and to the country: instead of employing himself in alleviating their burthens, he aggravated their pressure, and with a most unbecoming levity seemed almost to ridicule the complaints daily laid upon the table. If the noble lord persevered in this odious imposition, the sources of industry would soon be dried up, and all the future means of raising supplies would fail. The noble lord had reprobated a reference to individuals and to particular cases; but he (Mr. L.) should, notwithstanding, venture to refer to a communication which had been made to him from Worcester upon the subject of the property tax, and with which he had been entrusted in the absence, and during the indisposition, of the members for that city. From this statement, and from his own knowledge, he could assert that the trade of Worcester had so much declined, that the inhabitants were reduced to a condition in many respects most deplorable; and throughout the whole empire he had reason to think that the commercial distresses were at least equal to those of agriculture. A requisition had been sent to the chief authority, and a petition from Worcester in a few days would be laid before the House: any delay that had attended this proceeding arose from an unwise though loyal reliance upon the promises of the sovereign, and upon the assurances of his ministers.

Lord *Castlereagh* defended himself from the charge of levity or disrespect to the House. He had always been impressed with the serious nature of the question, and had expressly stated the difficulties under which ministers laboured in their endeavours to meet the exigencies of the crisis. If he ever had indulged in any thing like levity, it did not arise from a disposition to treat with indifference the question under consideration, but from a feeling that such was the most effectual means of meeting the reproaches of hon. gentlemen who were opposed to them on the present occasion.

Lord *Milton* said, that there was no intention to impute to the noble lord a feeling of disrespect to the country, as far as the language which he had used in that House had gone; but what was meant was, that he and his right hon. colleagues did treat the country in a disrespectful manner, in proceeding with this measure, after the sense of the people had been so decidedly declared against it. As to the new argument he had triumphantly introduced, the utmost it proved was, that lord Grenville and the marquis of Lansdowne had once contemplated the mere possibility of mortgaging the property tax, and from such premises it was absurd to draw the conclusion, that the faith of parliament would not now be broken by its continuance under totally different circumstances. One other thing which he wished to advert to was, the statement that had been made by the chancellor of the exchequer, that the commissioners of the property tax acted voluntarily, and were not paid. He agreed that this was the case, under the present bill; but he had authority, from some of those commissioners themselves to state, that if the right hon. gentleman succeeded in renewing the tax, although they had acted for nothing during a period of war, they would not be induced to pursue a similar course in time of peace. The right hon. gentleman therefore would be obliged to have recourse to those paid commissioners, under whose gripe the people of the country had already so severely smarted.

Mr. *Marryat*, after much consideration, had brought his mind to the conclusion that the property tax ought not to be continued. Admitting that the country was now in a sort of intermediate state between peace and war, for that reason it appeared to him that the people were the less able to bear a burthen they had sustained until their strength was nearly exhausted. The long duration of war unavoidably introduced many distresses that could not terminate till peace had been long re-established: the immediate consequence of peace was, that a great number of individuals were thrown upon their own scanty resources, and were little able to sustain the weight of taxation. Under these circumstances the people had a strong title to relief, and that relief should be afforded by the discontinuance of the property tax, which ought to be kept as a sort of line of demarcation between peace and war. On the revival of war, he wished it to be understood that it should be revived, and the effect might be to weaken a propensity with which this nation was charged by foreigners—that of being too prone to engage in new hostilities. He was one of those who thought that ministers had a fair claim to the thanks of the country for the happy conclusion of the war, and he hoped that they would prove that they had a still further title to the gratitude of the people of England, by listening to their complaints, and relieving their distresses.

Mr. *Cartwright* said, in answer to what had fallen from lord Milton, that although that noble lord had been authorized to state, that some acquaintances of his, commissioners of the property tax, would no longer act, if this impost was renewed, yet he knew others who entertained different sentiments, and who did not think it would be impolitic to continue the tax for two years. He admitted, that it was a war tax, but as it was necessary that the war should be wound up, the continuance of this tax he thought more politic than having recourse to a loan, which might be destructive to the credit of the country.

Mr. *Thompson* argued strongly in favour of a loan, contending that it would rather have the effect of raising the funds than of depressing them, and was much to be preferred to the property tax, which would be attended with the additional charge of the issue of exchequer bills. The hon. gentleman would ask the ministers, if it would not be humanity, as well as wise policy—if they were not bound in duty, as well as called upon by respect for the opinion of the people, to grant an immediate relief from a tax so generally felt and execrated, when that could be done by a loan of ten millions, or in some other way that would not endanger the public credit? Such a measure was surely preferable in the present distress of the country, unless in proposing a renewal of the property tax for two years, more was meant than met the ear—unless there was something behind the curtain which was not yet explained. The distress of the country banks, and the difficulty of obtaining money on any reasonable terms, were universal. It had been said that the property tax obliged misers to pay like gentlemen. This argument was rather specious than true, for he knew misers who lent their money on the condition that they should not pay the property tax. It was said the borrower might stop the amount of the tax. Yes, but the lender might also demand immediate re-payment. He would put it to ministers, after all the distresses the country had undergone, whether it was not their duty to relieve the people from this oppressive impost? They never would be able to persuade them that it was not obnoxious and unnecessary. The hon. gentleman then recapitulated a variety of instances which had come under his own knowledge of the distresses in which the agricultural interests were involved. Some time ago, he said, he had applied to the secretary of state to have a poor woman and her two children sent out to Botany Bay to join her husband, who had been transported for a very bad offence. A short time since a letter had been received from these poor people in this country, in which they expressed the utmost gratitude for the change which had taken place in their affairs, and represented that they were much better off than they had ever been in their own country. They now had their cows, and their pigs, and their poultry, and, in fact, possessed comforts which they never could hope to have enjoyed in England. No sooner had the contents of this letter transpired, than he (Mr. Thompson) was assailed from all quarters, by persons who said they understood he was commissioned to send out settlers to Botany Bay. A man who had been a small farmer, and who, from the late causes of depression, had been reduced to the most deplorable distress, was one of those applicants. He stated to him, in making his application, that he had formerly lived in comfort upon the fruits of his industry and the produce of his land, but now he was obliged to beg his bread from door to door; that though, willing to work, he could find no employment, and that even the poor-rates could afford him no supply: and he actually entreated as a boon that he might also be transported, in order to be relieved from the miseries which he suffered. [Hear, hear!] He mentioned this fact, which he did not think irrelevant, to show the distresses of the country, and the necessity for any relief that could be extended to the agricultural interest, by abolishing the property tax, and the tax upon farm horses. The hon. gentleman, (Mr. Baring), he was sure, could point out to the chancellor of the exchequer a better plan of raising the supplies than the property tax, and would not hesitate to become a subscriber to a loan, rather than submit to it. If any particular detail were necessary to show the sufferings arising from taxation, after the numerous petitions on the table, he could state facts which he was sure would produce an impression on every man who heard them. He had, since he came to attend his duty in parliament that day, received a letter, urging him to press upon the consideration of the House, the embarrassment and distress of the farmers, stating that they could not pay their taxes, and declaring that while the debates were going on from night to night about a remedy, they were literally starving. This was language which only the most calamitous and deplorable sufferings could extort or justify.

Sir *Gilbert Heathcote*, in answer to an insinuation which had been thrown out, that the signatures to this petition had been surreptitiously obtained, begged to state, that a week's notice had been given of the meeting at which it was proposed, and the fact of that meeting being about to take place, was notoriously known throughout the county of Rutland. He was, he hoped, incapable of giving his sanction to any petition which had been clandestinely obtained.

Mr. *Swan* said, that the meeting at which the petition was proposed did not consist of more than one hundred persons, of these only sixty had signed it. He was also informed, that many of the persons who had put their names to it were not actuated by a feeling of opposition to the property tax alone, but, in signing it, thought they were praying to be relieved from taxation altogether. He would ask, whether among all the signatures to the petition, there appeared one magistrate, or one great landholder in the whole county of Rutland?

Sir *Gilbert Heathcote* said, he had distinctly stated that this was not the petition of the county of Rutland; but, notwithstanding this, he was satisfied that, if the opinion of this county was fairly taken upon the subject of the property tax, nine-tenths of them would be against the tax.

Mr. *Lockhart* said, he would vote for the tax under certain modifications. He admitted that several species of property were suffering under extraordinary and unnatural depression; but he likewise was of opinion that others were as unnaturally and disproportionably exalted; and as the same principle could not in fairness be applied to both classes, he would relieve the one by imposing a burthen upon the other; which object would be accomplished, not by an unconditional repeal of the tax, but by certain changes in its provisions. What was the species of property that had been most raised by late events? Certainly the funds, a portion of which would now purchase as much land, or other commodity, as would have required double the quantity three or four years ago. He would, therefore, tax the funds, which could bear the burthen. The farmer and the trader he did not think fair subjects for this impost. A fact had been stated by the chancellor of the exchequer, which showed its unequal pressure as formerly levied. Only 30,000 merchants paid on an income of 1,000*l.* and only 3,000 on one above that amount. As so few persons of large incomes were assessed under this schedule, the whole weight fell on the middle classes. Therefore not only tenants, but commercial men should be wholly exempted from the tax. As to landlords, it was surely fair to assess them to the amount of rents actually received by them, but of course no farther. Thus modified, the tax was, in his opinion, a very unobjectionable mode of raising money.

Mr. *Western* said he held a petition from the nobility, gentry, clergy, and freeholders of the county of Essex, praying that the property tax might not be renewed under any modification whatever; the petitioners conceived the faith and honour of parliament was pledged on this subject; they trusted that a rigid attention would be paid to economy, and deprecated the extension of our military establishments in time of peace, as a measure hostile to the constitution.

Mr. *Long Wellesley* observed, that, after the long debate which had taken place upon this subject, he felt reluctant to trespass on the attention of the House. He thought, however, that this was a proper opportunity for declaring his sentiments upon this momentous question. After the most mature deliberation, the opinion which he entertained, founded upon the best judgment he was able to exercise, was, that the renewal of this tax would not alone be injurious to the agricultural interests of the country, but the interests of all branches of trade. In setting up an opinion so inconsistent with the opinions of those right hon. gentlemen, whose political principles he had been heretofore so proud to uphold, he felt considerable regret. He could not, however, consistently with the opinions which he had expressed out of doors, adopt a different line of conduct. He felt equal pain at being forced to differ in sentiments on this subject with a right hon. gentleman, to whom he owed every thing that was dear to him in life (Mr. Wellesley Pole), but he was satisfied that that right hon. gentleman, would be the first to condemn him, if he had not taken that decided and manly course which the dictates of his own conscience demanded. He was fully inclined to believe that the right hon. the chancellor of the exchequer had done every thing in his power to modify the measure, but he was satisfied that there was such a general prejudice against it in the minds of the people, as to render it utterly impossible that it could produce, under any circumstances, the desired effect. It could never be continued in time of peace, without creating much disagreeable feeling in every quarter. As a war tax, however, it was unobjectionable. He trusted in God he had formed an erroneous opinion of the consequences that might result from the carrying of the measure, and he was not without hopes that the right hon. gentleman would not persist in pressing it; but if he did and should ultimately succeed, he should find him standing first and foremost, to use whatever little interest he might possess, to put down the feeling against it which he apprehended would exist. He had attended the meeting, and could assert that the company consisted of those who enjoyed the greatest interest and influence in the county, of which the petition might be considered as the general feeling. Even the lord lieutenant of the county had thought proper to come forward and give his cordial approbation of all the petition contained.

Mr. *Brougham* presented a petition against the property tax from the inhabitants of Dundee. The petitioners, he said, had contemplated the artifices of endeavouring to make the measure more palatable by modifications, and warned parliament against being taken in. After the discussions that had taken place that night, and particularly after the able speech of the hon. member for Worcestershire (Mr. Lyttelton), he did not think it necessary to say one word; but, adverting to the conduct of the right hon. gentlemen opposite, he could not refrain from expressing his strong feelings of contempt at the language they held, and the manœuvres they practised. Instead of defending their measures in a direct and manly manner—instead of answering the arguments of their opponents by arguments of their own—instead of trying to reconcile the country to their system, by showing its reasonableness—they came forward with a factious and clamorous charge of faction and clamour; they justified themselves by recriminations on those who condemned them; and, when they were charged with acting wrong, had nothing to offer but a *tu quoque* to every censure. He would admit, for the sake of argument, that every thing stated against the administration of lord Grenville was true; he would take it for granted, that the assertions of the noble lord on the plan of finance then adopted were as well founded as they were proved by his hon. friend (Mr. Wynn) to be the contrary; still, he would ask, how did those statements apply to the present case? how did they justify the measures now pursued? The country did not look to men, but measures. Let not the ministers expect that this miserable attempt to draw public attention from what was publicly interesting, by such wretched and contemptible shifts, would succeed. Let them not expect that this device would mislead the country, any more than their notable trick respecting the words "and no longer." Not an individual would be deceived by them; not a new convert would be gained to their tax; and the nation, whose interests they opposed, would treat them with that contempt which the arts they employed against them deserved.

Mr. *Houblon* repeated what he said at the county meeting in Essex, namely, that while he would attend to the presentation of the petition, he would not pledge himself to any opinion upon the subject of this tax. He did not at that meeting think proper to oppose the sentiments of his constituents; but he could not concur with the hon. member (Mr. Long Wellesley), that the petition conveyed the unanimous sentiment of the county, although the meeting was apparently unanimous. For he knew that now there was a considerable difference of opinion upon the subject in the county. Many men were, and he had no doubt but that many more would be, reconciled to the measure, by the proposed modifications of the tax with respect to agriculture, and he should therefore repeat what he said at the meeting, that upon the adoption of such modification he should feel it his duty to vote for the adoption of the property tax.

Lord *Castlereagh* expressed his gratitude to the learned gentleman (Mr. Brougham) for at length letting the House into a consideration of the merits of the question. For upon the fair judgment of the House and the country as to those merits, he (lord C.) was willing to abide. But the learned gentleman was mistaken in supposing that he (lord C.) meant to charge lord Grenville and lord Henry Petty with any breach of faith in the course which those noble lords took in 1806. On the contrary, far from blaming those noble lords, he supported the proposition of their administration with respect to the property tax. All he meant to infer from the transaction he had quoted was this, that the noble lords alluded to did not think that it would involve any breach of the faith of parliament to continue the property tax after the conclusion of the war, for such continuance must have been the result of the plan which they brought forward. Therefore he felt himself justified in asserting upon the authority of those noble lords, as well as from a candid view of the question, that no breach of faith could be fairly attributed to the measure to which the petition referred, and yet the allegation of such a breach formed the main ground of the clamour excited out of doors against the adoption of this measure.

Mr. *Brougham* said, that if the noble lord wished to confine the attention of the House and the country to the merits of the question alluded to, it was rather extraordinary he should have alluded at all to the transactions of lord Grenville and lord Henry Petty, as that allusion could have no other effect than to divert attention from that question. But the object of the noble lord was obvious: he and his colleagues were accused by the country of a meditated breach of faith, and the accusation was echoed in that House. Hence the noble lord thought proper thus to address that side of the House—"You cannot consistently accuse us of a breach of faith upon this occasion, for you have been guilty of a similar breach of faith yourselves." [No, no! from the ministerial bench]. Then he could not conceive what the noble lord meant by his quotation from the large book he had that night produced; which quotation, however it might avail him as against lord Grenville and lord Henry Petty, or those who co-operated with them, formed no argument whatever against those who were not at all connected on that occasion with the conduct of these noble lords. But whether these noble lords were guilty of a breach of faith or not, was a point which the public and many members of that House would feel themselves warranted in throwing overboard, in considering the real merits of this question—and a material part of these merits consisted in a charge of attempting to violate the plighted faith of parliament, which charge he was fully prepared to maintain—which charge, indeed, was justly echoed from one end of the country to the other.

Lord *Castlereagh* denied that he imputed any breach of faith to lord Grenville and his colleagues upon the occasion alluded to. What he meant to say, and was prepared to contend, was, that if the plan of lord Grenville's administration had been acted upon, the whole of the property tax would have been mortgaged and rendered irredeemable for a much longer period than two years after the conclusion of peace. Therefore, if the continuance of this tax after the war involved any breach of parliamentary faith, it would not become the gentlemen concerned in the transaction alluded to, to bring that charge on this occasion, however the hon. and learned gentleman might feel himself warranted in pressing such a charge.

Mr. *Wynn* maintained, that the breach of faith imputed by the noble lord to the administration of 1806, could only apply upon the assumption that the war would have continued so long if the country had remained under the conduct of that administration.

Lord *Castlereagh* contended, that if the country had only incurred the amount of expenditure calculated upon by that administration, the whole of the property tax would have been mortgaged by 1819; and that at this hour, if the annual expenditure of the war had not even exceeded 32 millions, half the property tax would have been pledged.

Mr. *Wynn* stated, that he had the authority of the noble lord alluded to, to assert that it was not their intention to pledge the property tax in any manner so as to subject the country to its continuance after the conclusion of the war; so far from it, indeed, it was their purpose, rather than touch the property tax, to have recourse to other means of supplying the public exigencies, in case that should become necessary. In the event of such necessity, the administration alluded to would probably have resorted to some of the taxes which had since been imposed.

Mr. *Huskisson* deprecated the loss of time which these incidental discussions consumed. He concurred in the views of lord Castlereagh, with respect to the operation of the plan brought forward by lord Henry Petty; contending, that even if the annual expenditure of the war had not exceeded the sum of 32 millions, and the amount of that expenditure was known to have been considerably more, no less than 14,600,000*l.* of the war taxes would have been pledged by this House. Thus such a proportion of the property tax must have been mortgaged, as could not be redeemed without subjecting the country to at least five per cent. of that tax, not merely for two years, but for three or four years after the conclusion of the war. This he maintained to be an obvious deduction from the plan itself, which he had examined this morning. Therefore he conceived that his noble friend was entitled to take the authority of those with whom that plan originated, against that of the hon. and learned gentleman, and those who thought with him.

Mr. *Tierney* thought that there could be no fitter time for a member of the House to state his sentiments upon this tax, than when he was discharging his duty to his constituents by presenting a petition against it. But, for his own part, as he had not at this moment that excuse for troubling the House, he would confine himself to a very few words. The gentlemen on his side of the House had on this occasion been accused by the noble lord opposite, of beginning debates upon this tax, of creating delays, and preventing more immediate business from being discussed, when, at the same time he made this accusation, the noble lord produced a large book, containing a most complicated plan of finance, on which his lordship and his colleagues put their own construction, saying, that it was incumbent on their opponents to answer this—to answer that—to look at schedule C, to look at schedule D; and, in short, to discuss all the parts of that complex statement. But he must say for himself, that he would not enter into the particulars of a plan of finance which was now eight years old, as he was eight years older, and could contrive to amuse himself better than by reading it at this time. However, the argument which the noble lord endeavoured to establish, by his reference to the financial plan of 1806, was, that there was a breach of faith then, and therefore a breach of faith was justifiable now. But he denied that there was any breach of faith at that time; and he put himself upon the country for the truth of the denial. There was not then one single petition presented to the House complaining of any breach of faith; but now, petitions came from every part of the kingdom, complaining that if parliament continued this tax they would break faith with the country. What was lord Henry Petty's proposition? "If you (the people) agree to this measure, we will undertake to exonerate you from any new taxes for a certain number of years. Here was a fair proposition which the country might refuse or adopt. There was no clamour about breach of faith, nor any thing like it. Lord Henry Petty's plan was founded on the supposition that the war would be terminated in nine years; and few men, at that period, imagined it would continue more than nine months. But, leaving this entirely out of the question, gentlemen opposite said, "see, under the operation of that plan, the war still going on, how the property tax would be cut up." Gentlemen ought, however, to recollect, that the sinking fund would have been placed in a situation different from that in which it now stood. Now, he would venture to say, without meaning any offence, that there were not three gentlemen in that House, who understood perfectly lord Henry Petty's plan, although so much had been said about it. It was a bargain of which the country clearly approved, for they did not protest against it. But what was the case now? The public, acting under the faith of the minister, expected that a certain measure should be abandoned, as they were taught to hope it would. But then the noble lord turned round and said, "It is right that it should be continued; and, if there be any breach of faith, it is not greater than that committed by those who preceded us in office." This, truly, was a pretty sort of argument, and had a great deal to do with the merits of the case. If he were one of the noble lord's "train" (to use an expression of his own) he should begin to think that he did not keep his ground so firmly as he would wish people to imagine. He should feel considerably alarmed, when he saw his general, instead of fighting in the regular way, begin to throw glass-bottles and stink-pots. Indeed, he did not think the noble lord and the chancellor of the exchequer opposite, looked so comfortable and happy as they used to do. They did not attempt to defend themselves—they did not suffer their acts to stand or fall on their own merits—but they resorted, as weak people were wont to do, to an abuse of their opponents, and they called on the country to beware of those dangerous persons. Now he wished they would put him and his friends entirely out of the question, as if they were out of the world, and only look to the luminaries that surrounded them. When the proper time came, he and his friends, if regularly accused, would be ready to defend themselves.

Mr. *Vesey Fitzgerald* said, that the right hon. gentleman had accused his noble friend of unfairly delaying the House by the discussions into which he entered in consequence of the attacks from the opposite side. This was quite a new complaint from that quarter. There were gentlemen in the House who had heard the noble lord, almost by name, attacked most bitterly, only a few nights ago, for not having made any reply to the arguments, or rather the invectives which had been so liberally poured forth from the other side of the House; and now the complaint was, because they had been satisfactorily answered. If the petitions accused government of being about to break faith with the people, and if the right hon. gentleman, perhaps for the tenth time, preferred the same accusation, he was prepared to deny it; the contrary had already been proved. With respect to the plan of finance proposed by lord Henry Petty, the right hon. gentleman said, that there had not been three persons in the House who now understood that plan. The House was certainly obliged to the right hon. gentleman for his assertion, that it did not understand that plan on which a loan had been made, on which the war had been carried on, and the war taxes continued, and by which public credit had been supported. But the right hon. gentleman had gone much farther, when he asserted, that when the plan had been proposed, the war could not have been expected to continue above nine months. This, then, was the sagacious expectation entertained by those who framed this plan, from the expenditure of 32 millions; from that system of wise liberality which the crisis of Prussia made them afford to that power a loan of 80,000*l*! But he would do them the justice to say that this was not their expectation; they contemplated the continuance of the war for fourteen years, and they expressly stated, that after the termination of that period, the nation might expect to be relieved of eleven millions of taxes; and the statement was then in these words, "and the public would then be relieved from nearly the whole of the property tax." [Hear, hear!] He now called upon the right hon. gentleman and his friends to support the tax on the same principle on which it had been laid on.

Mr. *Baring* said, that party recrimination had nothing to do with the question. It was of no importance who had broken faith with the public, or who had not. Gentlemen on the opposition side of the House did not deny the right of parliament to pledge the property tax. It was competent to parliament, at any time, and under any circumstances, to pledge it. It had been pledged by Mr. Pitt, and again at the conclusion of the peace of Amiens. But what they maintained was, that it was not now pledged; and, not being pledged or mortgaged, the House had no right to call on the people to pay it, as if a mortgage had taken place.

The several petitions were ordered to lie on the table.

ARMY ESTIMATES.] On the question being put, that the Speaker should leave the chair, in order to resume the adjourned debate upon the Army Estimates,

Mr. *Lambton* rose and observed, that an hon. gentleman who officiated as chairman to the committees of that House, and to whom a very liberal salary was paid for that duty, had been absent during the last discussion in the committee of ways and means: he now wished to ask whether any of the gentlemen opposite would stand up in their places, and assert, that that hon. member was confined by illness, or whether he might not as well be in Northumberland for any use he had lately been in his office [Hear!]?

No answer being made, the Speaker proceeded to put the question, and upon leaving the chair, Mr. Osborne took his seat as chairman of the committee, amid considerable cries from the opposition benches for Mr. Brogden.

Mr. *Calcraft* said, that having moved the question of adjournment on a former evening, he thought it his duty now to state to the House his opinion upon the general question then before it. He disapproved of the estimates on account of the number of men proposed to be kept up—on account of the patronage and influence arising to the Crown from that number, and because of the want of economy on the part of government, which they betrayed. He could not concur, however, with an hon. friend of his (Mr. Bankes), who, on a former night stated the amount of force which he thought sufficient to be maintained. He considered the reduction of his hon. friend was carried to too great an extent: and he would venture to state to the committee his own views upon the subject. In the first place, however, he did not understand the language of the honourable gentlemen opposite, when they contended that this was not to be considered as a peace establishment, for if ever a country could be regarded as in a state of peace, this country might surely be so regarded. The first item in the estimates were the household troops, and that item, if compared with former peace establishments, would be found to have increased enormously. He would only refer to 1791, when the household troops did not exceed 779 men: now they amounted to 1744, being more than double the number at that period, and they were to be kept up merely for purposes of parade and show. If he were to refer to any other period of a peace establishment, the increase would be found to be in nearly the same ratio. He did not think any sufficient ground could be shown, either on the score of the duty to be performed in the metropolis, or for the maintenance of that due state which ought to accompany royalty, for maintaining so large a number, and therefore he was entitled to presume upon a reduction of one-half as practicable. The next item was the foot guards. In 1791 they amounted to 3765, now they were 7185. He should wish to have some explanation respecting them. He believed that a reduction to the extent of 5000 men might take place in those two items. The dragoons in 1791 consisted of 13 regiments upon the British establishment, or about 3037 men; that he certainly considered as too low; now there were to be 17 regiments, making 12,567 men, and that he thought as much too high as the other was too low. It seemed, however, that they were to be employed in collecting the revenue, and if so, it would be their utter ruin, as he could not conceive any duty more fatal to good discipline. They would not only be distributed into small parties, but they would also be exposed to the temptation of frequent intoxication, a vice which was already but too prevalent in the British army. He should think that half the proposed number would be sufficient, and he should prefer reducing the establishments of the regiments, rather than the regiments themselves. In looking to the infantry of the line, the total kept up in 1791 was 103 regiments, and now they amounted to 157, including the West India regiments, the garrison battalions, the rifle corps, the waggon train, and the staff corps. As a question of patronage alone, he should object to so large a force, and he thought the project was one which deserved the most serious attention of the House, not only on that ground, but because he did not conceive that the performance of any military duties could require the whole of those establishments.

In arguing upon the different stations to which they were to be applied, he should, for the moment, and merely for the moment, concede the point of necessity in respect to the 25,000 men for Ireland. He should also leave out of his consideration the 20,000 required for India, and the 30,000 composing the army of France, which would thus dispose of 75,000 men out of the 150,000. With respect to the army in France, however, he certainly could wish that it were composed chiefly, if not wholly, of foreigners, not only as it would reduce the patronage and influence of the Crown, but also, as he was afraid that the discipline and character of that army would materially suffer, if it remained five years in France, notwithstanding it was under the direction of that extraordinary man, the duke of Wellington, and other eminent officers.

With respect to the 25,000 for Great Britain, he had followed the noble lord through all his statements with the greatest attention, and yet he could not see the necessity for so large a force, merely to guard our arsenals, dock-yards, and depots. Why might not the new kingdom of Chatham (to use the expression of an hon. member) be confided to the protection of the artillery? Besides, there were 9,000 marines already voted, and if economy and retrenchment were really the objects of the government, he was sure they would be found as efficient for the protection of those stations as troops of the line. With respect to the garrisons in the Mediterranean, Gibraltar, Malta, and the Ionian islands, for which 11,000 men were to be provided, he should like to know why we were to keep up a war force in those garrisons during a period of profound peace? As to Gibraltar, it was to be recollected that the Spanish lines were destroyed, and no danger was to be apprehended from the Spanish government, except to its own subjects. That fortress had frequently beed left with only 3000 men during war, and considering the present state of our naval power, he should consider that to be a sufficient number now. Malta was one of the strongest places in the world. It could not be attacked at all without a superior navy, and that circumstance, united with the affection of the inhabitants for our government, certainly diminished the necessity for so large a force there. In the Ionian islands he should consider 1,000 men to be quite enough, for there too we were told, that the inhabitants were most anxious to come under our protection, and besides, there was already a large fortress in the island of Corfu. Upon the whole, he conceived that a total reduction of 3000 men might take place in the force assigned to the Mediterranean, with perfect safety to our possessions there.—With regard to the West Indies, it was true that our possessions there were more numerous than at any former period, but it was also true our security was greatly advanced by the possession of St. Lucie. That was considered, by all professional men with whom he had conversed upon the subject, as a most important military position. He thought that two or three ships of the line, (and he hoped our navy was not entirely to be forgotten), stationed in the West Indies, would preclude the necessity of so large a force. Besides, a quick relief might be afforded from Canada, upon any emergency, and in that view, as well as considering the nature of that frontier at present, he was not disposed to regard the intended force for that settlement as too large. A reduction to the extent of four or five thousand men, might, he thought, be made from the establishment for the West Indies.—With respect to the garrisons for the Cape, the island of Ceylon, and the Mauritius, he thought they were immensely overstated. As to the Cape, it was a matter of doubt with him, whether it might not as well belong to some other power; but at all events, what occasion had we for so large a force there? What had we to fear, or to oppose, except an army of dull and slothful Hottentots, as was justly observed by an hon. member on a former evening? He really could not see the necessity either for a garrison of 3000 men, or for a governor with 20,000*l.* a year salary. A force of 2000 he should be disposed to consider as sufficient. In Ceylon he was afraid, from peculiar circumstances, the force could not be much reduced; but still it might be a little, and looking at the whole question as a question of money, however little could be saved, that little ought to be saved. He was of opinion, however, that a reduction of 500 men could take place. Of all the garrisons appointed to the different stations, that of the Mauritius was the most surprising. It had been stated, indeed, that the population of the place was disaffected; upon that subject he could say nothing, for he did not even know what the population amounted to, though he had made many inquiries, and consulted many books. But he understood it was one of the most impregnable places in the ocean, and as it was no great distance from our East Indian possessions, or from the Cape, reinforcements might easily be supplied if necessary. He did not see, therefore, why a garrison of two battalions, or about 14 or 1500 men, would not be sufficient for that place. With respect to the floating force which was to be kept up for reliefs, he thought it should be wholly struck out of the establishments for the different stations, because it would be taken out of a fund, which would always exist as a permanent part of the general system. The aggregate amount of his proposed reductions would be 23,000 men, thus reducing the 99,000 to 76,000, and that reduction, estimating the expense at only 50*l.* per man, though with respect to men on foreign service, that was too low an average, would produce a saving of at least 1,150,000*l.* exclusively of the army extraordinaries. At all times such a sum would be a great object, but at the present moment it was of infinite importance. The whole country was inflamed upon the question of a property tax or a loan; but by that saving they would have at once the interest of a loan for four or five years.

He should now call the attention of the House to a most extraordinary item. He meant the general and staff officers, who were still to be employed; and he was astonished to find that they amounted to 38 general officers for the different stations in Great Britain and Ireland. Upon what ground such a number was to be kept up, he was utterly at a loss to conceive. In Ireland there were to be 22 general officers, but surely unless they were to be retained for some other purpose, no man would venture to say, they were necessary for the service of Ireland. They ought to be diminished to a considerable extent. The staff at head-quarters, by which, of course, was understood the horse-guards, was also too extensive.—He would next advert to what the noble lord had termed the dead weight, and which the noble lord had attributed to the administration in which he (Mr. Calcraft) acted a subordinate part. This originated in the plan of a right hon. gentleman, of whom he must ever speak with sentiments of the highest esteem and the deepest regret. It seemed that an annual charge of 1,300,000*l.* was attributed to the excellent plan of Mr. Windham. But from this ought to be de-

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ducted the amount of the establishments of Chelsea Hospital and Kilmainham in 1805, before the adoption of that plan, amounting to 500,000*l.*; so that in this view of the subject only between 8 and 900,000*l.* of additional expense was created by the plan. This sum, however, ought to be divided between the plan and the expense to which the country must otherwise have been put. He would on the whole allow that the plan had occasioned an increased expense of 500,000*l.* But among whom was this sum circulating? Among the soldiers who had so bravely fought the battles of the country. It comforted the wounded; it was the relief afforded to the veteran by the state which he had protected. If there was any one circumstance better calculated than another to cherish the military spirit of the country, it was this mode of affording an improved remuneration to those by whom it had been well served. Of his whole life there was not a single occurrence at which he more rejoiced than that he had co-operated with his right hon. friend, Mr. Windham, in the establishment of this plan. But thus it was, large sums were given to civil officers, and nothing was said about them. An increase of 10,000*l.* a year was given to a lord-lieutenant of Ireland, without notice; but when four-pence, sixpence, or a shilling a day was niggardly dealt out to our brave soldiers, and when parliament had acceded to the proposition, it was made a subject of regret and reproach.

The hon. gentleman then shortly adverted to the other items of the establishment. He maintained that the sum of 122,986*l.* for volunteer corps might be altogether saved, as under the existing circumstances of the country, no corps ought to be allowed to serve, unless gratuitously. As for the local militia, during the times of threatened invasion and of war, he had highly approved it. At present, however, he thought the expense might be saved. As for the foreign corps, those, he understood, were all going to the right-about. He next proceeded to the Royal Military College, to the principle of which he was by no means unfriendly, although he was so to the extent of the expenditure. This, from 13,000*l.* a year, had in seven years crept up to 33,819*l.* Some sum, he would say 20,000*l.* ought to be specified, within which the expenses of this establishment ought to be kept. The same observations were applicable to the Military Asylum. The next item was the retired chaplains. These gentlemen had no greater objection to good pay than the adjutants general and quarter masters general. The expenditure on this item had rapidly increased. It ought to be limited. To the allowances on the compassionate list it was impossible to suggest any objection.

Having thus rapidly gone through the different items of the establishment (without any attempt at oratory), he trusted that his observations might not be altogether without effect; and that the noble lord would not obstinately adhere to all the items of the estimates, merely because he had introduced them. He contended, that unless the measure had been adopted of opposing the Speaker's leaving the chair, the attention of the House would not have been so completely awakened as it had been to the immense establishments proposed; and he maintained, in opposition to an hon. friend of his, who had censured that proceeding, that had the majority of the House decided against the Speaker leaving the chair in the first instance, the House would not thereby have been placed in any dilemma; for had they sent the estimates back to his majesty's ministers for re-consideration, and had the same estimates been returned to the House, it would have been their obvious course to address the Crown for the dismissal of those ministers.

Mr. *Rose* commended the clear and temperate mode in which the hon. gentleman had made his observations. He would not go into the general subject; but he would say with reference to the home and Irish establishment, that there never was a time in which the presence of a large military force was more necessary to the collection of the revenue—eight millions of revenue could not be more economically collected than by the expenditure of 440,000*l.* in this manner. Adverting to the Island of Corfu, he contended that the possession of it was essential to the protection of our trade in the Mediterranean, which might otherwise be destroyed with facility. It was evident that Buonaparté knew the value of this place by the large garrison which he maintained in it. With respect to the West India islands, it would be impolitic to rely on any assistance which in the event of attack they might receive from Canada. Each ought to have a force capable of defending it. He completely concurred with the hon. gentleman in his observations on the pensions allowed to our brave veterans. They did great honour to the country; and that honour was not a little increased by the private subscriptions with which every newspaper was filled.

Mr. *Stuart Wortley* complimented the candour with which the objections to the various estimates had been made. He trusted that that candour would be met by a correspondent feeling, and that his majesty's government would not resist any suggestions, except those, a compliance with which might hazard the security of the possessions that ought to be maintained. He would first consider the force required by the colonies, because he conceived, that with reference to that force the establishment at home ought to be fixed. In Canada he admitted that the proposed force could not be decreased. It was good policy to keep on foot such a force there, as should prevent the probable success of an invasion of it from being a temptation to America to commence a new war. As to the West India islands, considering that no power in Europe had a navy but Great Britain, whence could we expect an attack? The consideration was, how much force was required beyond that necessary for the internal police of those islands? On this subject, ordinary military authorities had little weight. The force necessary to take, and the force necessary to keep those islands, were two very different questions. He thought the noble lord had overstated the force necessary for the latter purpose. Independently of the reduction of the establishment, by the approaching restoration of Martinique and Guadaloupe, he thought that the number of troops proposed to be employed in the West India station might be reduced by fifteen hundred men. With regard to the Mauritius and the Cape, he did not think the proposed establishment necessary. First, as to the Cape, it would be recollected, that from its situation it had once, with a regiment of 600 men, withstood the attack of from two to three thousand men, who had been sent against it. It could not, therefore, be supposed to require the large force of 3000 at the present day. The Mauritius certainly was a place of considerable importance, and some persons thought that it was even of more importance than the Cape; but in that place there could be very little danger of external attack. The only thing to be dreaded was from the inhabitants, and he thought that they could be kept in sufficient subjection by a force less than that which was now proposed. He should next come to the Mediterranean. The garrisons in its vicinity would, from their situation, be more exposed to attack than any other of our possessions; but still he did not think, on the whole, they required that great number of men which was now intended. As to Gibraltar, which might be considered in an enemy's country, he did not think that 4000 men would be too much. But this exception could not be extended to the Ionian islands, which in case of attack, might be easily relieved by troops from Malta. He next adverted to the establishments proposed for Ireland; and from the unhappy situation of that country, he did not think it could be considered as too much. The necessity of the force intended for England did not appear to be equally obvious. He could not conceive how this force was to be employed. Nor did he see how the great force of the guards was necessary. They would not be employed on various occasions, like other troops, and therefore he could not approve of a force of them so much exceeding that kept up in 1791. He thought therefore that in this respect a considerable reduction might be made. He admitted that the increase of population required some increase of our military establishment, and he had known instances where the assistance of a military force was necessary to the support of the civil magistrate. On the whole, considering the duty of our troops at home, and the supplies which might be sent from them to our colonies, he thought that some reduction might be made, though he was afraid it could not be very great, yet it would be a saving *pro tanto.* There were some items in the estimates before the House, which he thought might be altogether left out. He alluded to the salaries of adjutant general and deputy adjutant general, quarter-master general and deputy quarter-master general. All these officers held other ranks in the army and received pay for them, and their pay in those situations was an unnecessary expense. He next called the attention of the House to the local militia, and observed that if ever money was uselessly thrown away, it was in this branch of the army. He thought the local militia were of no use whatever to the country, more particularly in a time of peace, except to extend military habits. The yeomanry cavalry he also thought could be dispensed with. They had been at one time of service, and were disposed to be so, but that time was gone by, and their military spirit had long since evaporated. At present he did not think their services worth the money which would be expended to continue them. The Military College and the Military Asylum were items in the estimates, which he conceived might be well omitted. They had been created for a time of war, and were not so necessary in time of peace. There did not now exist that necessity for the military education of young men, for if a war broke out, there were a sufficient number of experienced officers in the country. In the Commissariat and Barrack departments he could not say that the expense was too much, not being perfectly acquainted with the subject, but as it appeared to him it had reference more to a state of war than a time of peace. With regard to the army kept up in France, he could not agree with what had been said, that it would be better to keep up foreign troops than English. If an army were to be kept there, he thought it better that it should be composed of English soldiers; he meant that part of the army which was the quota of England, rather than of any other. English troops had ever shown a more exact attention to discipline, than the troops of any other nation, and therefore in France their presence could better accomplish the object for which they were kept there, than the troops of any other country. Having said this much on the general principle of the estimates, he would wait to hear the termination of the debate. He would listen to what ministers should advance in support of the several establishments. If their arguments were sufficient to convince him, he would vote for them. If not he should feel it his duty to oppose them, and to move an amendment on some of the items.

Mr. *Wilberforce* observed, that this country was at present in the situation of a man, who wished to reduce a large and expensive establishment, but who, in examining the different items of his expense, thought that each separately did not admit of much reduction. Undoubtedly, on looking to our financial resources, the idea of retrenchment in the different branches of the public service would present itself, and that retrenchment more particularly in the chief branch—the army. This army was conceived to be too numerous, and rather dangerous to the constitution, and there were periods in the history of England, when a less force would have been fatal. A smaller army had once proved fatal to the existence of royalty in this country. That danger, however, could not be apprehended from the present army, constituted as it was, but nevertheless some reduction of it was necessary. With regard to Ireland, he did not mean to say that the force now kept up was not called for by the situation of that country, but regretted that no other means had been resorted to for securing its affections, than holding it in military subjection. As to England, he could not see the necessity of having a much greater force than had been kept up by Mr. Pitt. It was now said that several colonies were to be supplied from the force in England. He would admit this, but the same argument might have been used in the time of Mr. Pitt. We had then colonies to supply from our home force, and though they were not so great as what we now possessed, yet they bore as great a proportion to the army by which they were then to be garrisoned, as our colonies now do to our armies. The hon. member then contended against the policy of employing the regular troops for the suppression of smuggling, as they would thereby be exposed to corruption. For this service, he thought that the yeomanry cavalry would be much more effectual. He also contended against the necessity of such large establishments in our several foreign settlements, which would not be attacked, from the certainty there was of our being able to regain possession of them by means of our navy, and the facility we had of transporting soldiers from one place to another. In the West Indies there was he conceived, no necessity to increase the number of forces. It was not fair to estimate the number to be kept up at present by a comparison with that which was employed in times when our enemies disputed the possession of them with us. Admitting the possibility of an attack upon any of these possessions by our navy, we could hold the invaders in such a state of blockade as would soon oblige them to surrender. He would not much longer occupy the time of the House in the way of detail at that hour of the night. He could not, however, omit to notice the growing rate of our military establishments, at the conclusion of every successive war in which this country had been latterly engaged; and he felt convinced, that if the present estimates were agreed to, and a new war were to break out, at the conclusion of the peace subsequent to it, a pretext would be held out for a still further augmentation. Most evils arose from consulting merely a supposed temporary convenience; and such he feared would be the event in case the proposed estimates were adopted. If there were no other objection to the proposed military establishments, he conceived that a sufficient one would be found in the circumstance, that it necessarily led them to neglect the navy, to whose exertions the country owed so much in point of fame and safety.

Mr. *Goulburn* began by assuring the House that, whatever anxiety he might naturally be supposed to feel to express his opinion on the question before the House, he should not presume at that late hour to trouble the committee at any length, but should confine himself simply to some observations upon what had fallen from the hon. gentleman who preceded him in the debate. He observed that the hon. gentleman who had just sat down, had in the observations which he had made on the estimates objected to them generally; he had not thought it necessary to pursue them in detail, or minutely to investigate any item of the charge, nor had he considered it incumbent upon him to make any inquiry whether the proportion of force allotted to the several stations was more or less than adequate to the service required. It was sufficient for him, that the total amount of the estimate exceeded, in his opinion, that which the country could reasonably be expected to pay. In making, however, his calculation of what the country could afford for the expense of her colonial garrisons, he had omitted many most important considerations. He had, indeed, uniformly kept in view the charge which the garrison brought upon the mother country, but he had never turned his attention to the increased advantage arising from the possession of the colony. The importance of the colonies in a commercial, a military, or even a financial point of view, appeared altogether to have escaped the notice of his hon. friend. These, however, were considerations which Mr. Goulburn said he could not consent to banish from his consideration, for he was convinced that although the possession of them necessarily gave rise to that additional charge which appeared on the face of the army estimates, the advantages which those possessions afforded to the country in reducing the very expenditure which it was the object of the hon. gentleman to diminish, far overpayed the sacrifice which they required in the first instance. It appeared indeed to him, that throughout the whole course of this debate the importance of our colonial acquisitions had been much undervalued. It had been doubted, whether colonies were in any degree advantageous to the mother country, and there had been some gentlemen who did not hesitate to declare, that the reduction of any one branch of our national expenditure was of greater importance than a whole Archipelago of sugar islands; but he was satisfied that such an opinion would not be entertained by any man who could appreciate the value of an extended field for commercial enterprise, additional markets for our produce and manufactures, and the employment of an annually increasing mercantile marine. These were some of the advantages which we derived from the increase of our colonies, upon which at an earlier hour Mr. Goulburn said he might have been tempted to expatiate; but he should now content himself with showing that the new colonies which we had acquired during the war, and the protection of which required the present increase of our military establishment, not only created no additional expense, but contributed materially (notwithstanding this additional charge on the army estimates) to defray the general expenditure of the empire. It was an important fact, that the conquered colonies alone had, in the year 1814, opened a new market for English manufactures to the amount of above three millions sterling, and had in that year actually furnished to the revenue of this country no less a sum than 1,500,000*l*. He wished, therefore, that the hon. gentleman would compare this statement with the charge for the proposed establishment in those colonies, and he might then safely appeal to him whether such possessions were not acquisitions to the country, whether they did not discover, even in a pecuniary point of view and for the sake of the clear million of revenue which they paid into the treasury of the country, that degree of military protection which was now demanded.

Mr. Goulburn then proceeded to notice, in the order in which the hon. gentleman had alluded to them, the different colonies, the garrisons of which had been considered liable to objection. With respect to Canada, it was hardly necessary for him to say any thing. It seemed to be the general if not the unanimous opinion of those who had taken part in the debate, that the force stationed there was not unnecessarily great. The present importance of those colonies, compared with their previous insignificance had had their due weight with the House; and if he further adverted to the subject it was only for the purpose of adding one which he considered not an unimportant reason for an increase of the military force in that quarter. It had been stated by his noble friend, that the progress of cultivation in Upper Canada had diminished the difficulties of invasion, and that the plough and the axe of the settler had been the best pioneer of the enemy. The change, however, which had taken place in the American frontier during the same period appeared to have been overlooked. In 1791 Upper Canada was secure, without a garrison, not only because it was itself an impenetrable forest, but because the wild state of the American frontier precluded the approach of any hostile force in that direction. The whole country bordering on the lakes was in 1791 little better than an impervious forest or an impassable morass, and inhabited by tribes of natives who, though they lived within the limits of the American territory were always willing and ready to resist them and presented insuperable obstacles to every hostile preparation. The scene however was now changed. The forests had disappeared—the natives were withdrawn—a numerous American population was spread along the shores of the lakes—and the opening of roads and canals had brought the enemy at once in contact with our frontier.

Adverting next to the West Indies, Mr. Goulburn observed, that there was in our old colonies in that quarter a certain increase of establishment: but the increase was inconsiderable in itself, and rested moreover upon grounds which he believed the hon. gentleman would consider satisfactory. In comparing the present establishment with that kept up in 1791, which had been assumed as the proper model of our present arrangement, it must be remembered that the whole force then maintained in the West Indies was an European force. The system of employing black troops in those less healthy climates had not then been introduced. The introduction of this system fraught as it was with incalculable benefits, nevertheless carried with it the necessity of increased numerical force. We had it, indeed, now in our power, by employing black troops on the more fatiguing military duties and in the more exposed and unhealthy situations, to preserve the lives of our own soldiers when employed in those climates; and it was a most satisfactory circumstance to observe how, in proportion to the employment of the black troops, the mortality and sickness in the European regiments had diminished. While, however, a change so gratifying to humanity was effected, it must be seen that the employment of so considerable a number of black troops as were adequate to the object in view, made it necessary to increase the total amount of force to be maintained in the West Indies. However absurd or ill-founded might appear those prejudices which prevailed in the West Indies against a force of this nature, the House must to a certain degree, pay regard to those prejudices; nor did he think that any one would be disposed to withhold the proposed addition of a thousand men, which was all that was required to satisfy the alarms of the colonists, at the same time that it secured the health and comfort of the European soldier. Putting humanity out of the question, the employment of this additional number of men was, in a pecuniary point of view, a measure of real economy. If the life of an European soldier was not an object worthy of consideration, at least we should consider that the cost of a soldier and the expense of supplying his place when lost to the service abroad, was neither light nor unimportant, and that the expense now proposed to be incurred would go but a little way in supplying the losses occasioned by the system of 1791.

With respect to the Cape of Good Hope, we had not to guard against a dull and slothful race of Hottentots, as had been stated by an hon. gentleman, but against a rude and warlike people, living on the borders of the colony, and eager at all times to make incursions with a view to plunder and pillage. Against these every precautionary measure had been previously tried, but a military force on the frontier had alone been found effectual. There was, however, another and a stronger reason for the maintenance of such a force. To those who had any knowledge of the colony it could not be unknown, that the more remote districts were inhabited by a class of men, the Dutch boors, who having lived without restraint in the time of the Dutch, submitted to it with difficulty under the British government. The cruelty with which they had in many instances treated the unfortunate Hottentots in their service, the murders even that had been committed, called for the interposition of any government that professed itself to be either civilized or just. Sir J. Cradock, the late governor of the Cape, had determined to establish in these distant districts regular courts of justice; but so lawless were the inhabitants, and so little inclined to yield to the tribunals what they considered to be their privileges, that nothing short of a military force in the neighbourhood could ensure the execution of the law. It is only last year, said Mr. Goulburn, that the attempt to apprehend a murderer in that district led to a general insurrection, which was suppressed only by the employment of a military force; and it is under these circumstances for the protection of the industrious colonist against the ravages of a savage enemy, and for the protection of the degraded Hottentot against a no less savage master, that I consider a military force at the Cape to be absolutely required.

The importance of the Mauritius, if not acknowledged by all, may be estimated in some degree by the losses sustained by this country from its being in the possession of the enemy, and the expense incurred in its reduction. The population of that island had always been peculiarly French; much distinguished for its early concurrence in all the violent measures of the French revolution, and for its subsequent attachment to Buonaparté. An evidence of the importance which he attached to this colony, and of their feeling towards him had been recently afforded—It was one of the first acts of his return to France to send an agent to the Mauritius; the result was, an insurrection in his favour. Under these circumstances, could any one object to maintaining for the present the force proposed?

In Ceylon, indeed, reductions might hereafter be practicable, when some means of communication between the widely separated military posts in the island had been completed. It was, with a view to this reduction, the first object of his majesty's government after the conquest of Candy, to effect a road across the island, and when this should be completed an inferior amount of force might be required; but during the present year, when above half the island had but just submitted to his majesty's arms, and when the military posts were so detached and separate as to be capable of affording no assistance to each other, it appeared impossible to dispense with the establishment proposed.—Mr. Goulburn next adverted to the garrison required for colonies in the Mediterranean. With respect to Gibraltar, there was no difference of opinion. Malta, though one of the strongest places, nevertheless from the extension of its works required a considerable garrison: and as to the Ionian islands, the works at Corfu alone, exclusive of the other islands, would fully authorize the number of men allotted for the defence of the whole. The importance of those islands had been fully and ably stated by the right hon. gentleman who spoke before him on that side of the House. The strength of the works when in the hands of the French had been such, that we had never been able to obtain possession of it. They must now, indeed, be for the present year maintained by us; but he trusted, that the period was not very distant at which we should be relieved from the expense of the garrison necessary for their security.

The hon. gentleman who spoke before him, had objected, indeed, generally, to the garrisons recommended for all the colonies, because he considered no garrisons whatever to be necessary, since our naval superiority afforded a certain means of recovering the colony should it accidentally be conquered by an enemy. Against reasoning of this kind, Mr. Goulburn begged to protest, as quite at variance with his idea of the protection which every subject of this empire was entitled to expect in return for his allegiance. Could it be consistent with the hon. gentleman's ideas of protection to leave any class of his majesty's subjects exposed to the ravage and destruction of property, which were the constant and necessary consequences of a hostile invasion? or did he think that they would derive much consolation from the prospect of being again conquered from the enemy by a friendly army, and a second time exposed to those inconveniences which even the conquest by a friendly force cannot but produce?

Mr. Goulburn concluded by observing, that great part of the increased expenditure observable in the present estimates must be considered as arising out of the glory we had won in the war, and the advantages we had gained by the peace. It had been said by gentlemen, that we could but judge of the value of a peace from the diminution of the national expenditure consequent on its conclusion. From those who maintained such an opinion, he must altogether dissent. If the advantage of a peace consist in the acquisition of new territory—of territory situated in different quarters of the globe, important from its immediate position, or from the power which it afforded of checking the operations of future war, an increased military establishment was the necessary and inevitable consequence of the acquisition. But although the military establishment was increased, it was not, as some gentlemen seemed inclined to argue, to the detriment of the navy. From the very extension of our territory, and the increased employment which the trade with them afforded to British shipping and seamen, we had always within our reach the means of commanding a naval force without delay. The increased military force, therefore, was not more effective in securing the colonies in which it was stationed, than in giving us a command of naval means whenever the exigencies of the country might require them.

Lord *Castlereagh* thought it necessary to make a few observations on what had passed in the present debate, and to state what was the impression which had been left on his mind by the arguments of the gentlemen opposite. He was extremely sensible of the importance of the question, and he begged to state that no false pride on the part of the government would make them object to the economical plans of their opponents if they thought they could have adopted them consistently with prudence. Ministers wished to confine their military establishments within the narrowest possible limits, but the saving which would arise from the reductions which had been suggested, was so paltry, compared with the great sacrifice which was the condition of attaining it, that he was confident in pursuing the course recommended they would not fulfil the wishes of the nation. The government had come to the discussion of this question with the greatest desire to make every pecuniary saving that could prudently be attempted, and if they differed from those who opposed them on this point, he was sure it was in consequence of their duty having imposed upon them the task of looking more closely into the subject than the individuals had been compelled to do who had taken part in this debate. It was some satisfaction to ministers to know that those who differed from them with respect to the military establishments proper to be kept up, differed equally from each other. The hon. gentleman opposite had taken for his data what he (lord Castlereagh could never subscribe to, namely that the arrangement of 1792 was that which was perfectly satisfactory, and which it would be wise, under all circumstances and at all times, to recur to. What was the proof of its being applicable to every situation in which the empire could be thrown? Why this; that in almost every instance it was admitted it could not now be acted upon. It could not be acted upon in Ireland; it could not be acted upon in Canada; nor could it be acted upon in our new colonies. It had been thought that 12,000 troops were more than enough for the defence of the possessions last mentioned. He could not understand which way this was assumed; for he could not tell on what principle it was supposed that our newly-acquired territories could be maintained by a smaller force than was judged necessary for our old colonies. It ought to be borne in mind, that in our new possessions we had to maintain some of the strongest military stations in the world, namely, Corfu, Malta, Ceylon, Trinidad, and St. Lucie. His hon. friend had supposed that a saving of 23,000 men might be effected, but in doing this he had assumed that the total force which it was proposed to give the Crown, were to be considered as effectives. The statement which he (lord Castlereagh) had formerly made, that a tenth ought to be deducted from their number for non-effectives, he found on inquiry, was rather under than over the mark. From the ninety-nine thousand men thus to be kept up, ten thousand at least were to be deducted, and when to these were added the number that must every year be *in transitu* for reliefs, on the principle that the force stationed in the colonies should be relieved once in ten years, it would be found that to the 10,000 non-effectives, 7000 men who must always be on the seas on their passage out or home, ought to be subjoined. These 17,000 men taken from the 99,000, left an effective force of but 82,000 men. Did the hon. gentleman reckon the non-effectives and the reliefs when he made his calculation? If he did not, it would be seen there was after all but a difference of five thousand men between the force his hon. friend proposed to maintain, and that which the government desired should be kept up. He apprehended the hon. gentleman had not reckoned the non-effectives and the reliefs, when he thought an army of seventy-seven thousand men would be sufficient, and had hardly a doubt that the error into which he had fallen was that of founding his calculations on the gross amount of the force which was to be maintained, and not on the presumable effectives. It had been thought that a reduction might well be made in the household troops. The duties of this description of force, it was proper to observe, were not now circumscribed as they were by custom in 1792. Latterly he thought a wise arrangement had been carried into effect with respect to them, which left them applicable to foreign service. This had been of great importance to the country, as they had nerved its arm to strike a great blow at a most critical moment, when the requisite force could not have been obtained from any other quarter. This part of the army was always likely to be available on any sudden emergency, as from none of its detachments being abroad in a common way, as was usual with the rest of the army, three, four, or five thousand men could always be gained from the household troops on the spur of the moment. They had been much ridiculed when they were first sent out of the country, and the idea of sending our heavy cavalry to meet the cavalry of France had been laughed at. He had, however, on that occasion preferred the opinion of the Duke of Wellington as to their fitness for service to that of the high military authorities who had not admired this arrangement; and much as their dress had been quizzed at that period (those who had seen the continental armies knew that their dress was not the most extravagant in the world), time had proved that the duke of Wellington was the best judge of their merits. On a variety of occasions they had greatly distinguished themselves, and more than ever at the battle of Waterloo. The cavalry, which had been so much scouted, had overthrown that which had been thought to be the best in Europe, and had on every occasion proved itself to be superior to all that opposed it. The expense of this force might be about one-fourth greater than that of the rest of our cavalry but this he held to be more than compensated by the constant state of efficiency in which it was found.—An hon. gentleman opposite (Mr. Calcraft) had suggested some considerations which he thought himself bound to answer. With respect to the home service, he must observe, that there was a considerable part of the duty of the country which could not be done either by the marines or the artillery. He readily admitted the efficiency of these troops, but their estimated establishment would not be sufficient. There were 3,000 of the marines which were always to be considered as afloat: (some of the opposition members observed, that 9,000 were voted)—he was aware of that, but he was now arguing a speculative establishment for next year. Upon the 3,000 thus afloat, all the casualties of the service would fall, and therefore as those casualties would have to be replaced out of the remaining 6,000, it would be impossible to calculate upon more than 1,500 at the highest, as disposable for that duty at home, in guarding our different arsenals, depôts, and dock-yards. Then, with respect to the artillery, of the 2,000 men kept up at home, after the regular duties were performed, what would remain applicable to that other description of duty which it was proposed they should undertake? He would leave it to the judgment and candour of his hon. friend—and he was sure he would feel convinced, that it was impossible to make from either of those branches of the military force of the country any deductions. He was satisfied, that so far from adding to the force maintained in 1792, it would be found, when all the different circumstances were taken into consideration, that the present estimate for the home service did not exceed that of 1792. As to the guards, it was to be remembered that they were not exclusively employed in the home district. They were sent to Chatham; indeed, there was no difficulty in appointing them to any duty to which their numbers were sufficient; and the only difference to be considered was between the expense of the guards and that incurred by the troops of the line. There seemed to be no diversity of opinion between him and the hon. gentleman as to the cavalry; but a considerable one certainly subsisted upon the question of the West Indies, though he was satisfied, that when the hon. gentleman viewed the matter with more deliberation, that diversity would cease. As to Jamaica, the hon. gentleman had totally discarded that colony out of his calculation; but he wished to observe that it was a mistake to suppose that 4,000 men were to be employed exclusively for Jamaica. Out of those 4,000, there were 500 employed for Honduras, and therefore the real force at Jamaica amounted only to 3,500. With respect to the West India service, it should be considered how sudden the casualties were in that climate, and that a fever might consume from 800 to 1,000 men, before any relief could possibly be sent out from this country. But what was the state of the West Indian army now, as compared with that of 1792, setting Jamaica aside? It was proposed by his majesty's government to vote 9,500 men for the garrisoning those colonies, and if 3,000 were deducted from that number, there would remain only 6,500. In 1792, the force in the West Indies amounted to 4,800, so that there would be an increase of only 1,700, applicable to the existing exigencies in that quarter. Was it possible, however, that his hon. friend should consider it a safe line of policy, to garrison the six additional colonies of Trinidad, Tobago, St. Lucie, Demerara, Essequibo, and Berbice, with only 1,700 men? He was confident that such an idea never entered his mind; and therefore it was evident he could not stand upon his own principle, as he would not venture, under those circumstances, to recommend to government so considerable a reduction. He must beg leave also to deny that the situation of St. Domingo bore only upon Jamaica. He was prepared to contend, that such an independent black empire as was now established in St. Domingo, was calculated to affect the whole hemisphere of the West Indies in its moral and political condition. —With respect to other savings that had been recommended, he must again press upon the consideration of the House, that the present establishments were not proposed by government as permanent ones. They applied only to this present year, and to that state of things which existed in many of the colonies, and which rendered it necessary that such a system of additional precautions should be adopted. The proposed reduction in the home establishments, however, he considered as untenable at present, and that in the West Indies was not only unsafe, but absolutely impracticable. In another year, he was perfectly aware, that many savings might take place, to the extent, perhaps, of 4 or 5,000 men, in our colonial garrisons; nor would that be the greatest possible saving, because Ireland held out a prospect of a still more considerable one. He admitted also, that in the Mauritius, at Ceylon, and in the Mediterranean, there might be reductions in the future estimates submitted to the House. What he contended for was, that the amount of force proposed for the present year was calculated upon the absolute necessities of the country, and that consequently such reductions as had been suggested were impossible. The House, he was sure, would feel that it was not pledged to vote the 99,000 men another year, because they had supported the government in granting that force now. At the same time, he wished it to be distinctly understood, that he himself was not pledged to any reduction beyond that of 4 or 5,000 men, arguing, as he then did, upon the actual condition of our colonial possessions. It was material also, that the House should recollect, that when they voted 99,000 men, they did not in fact give that force to the government; they only gave to the government the faculty of raising it, which faculty was to be exerted under all those difficulties always attendant upon such measures. He apprehended that distinction had been lost sight of, and that the reductions proposed by some hon. members had a reference to the gross estimate of 99,000 men, and not to the effective force.—He should not detain the House any longer at present, because, although there had been observations made upon some other of the estimates, he thought it better to confine himself now to the larger and more important estimate, reserving, for the subsequent ones, those remarks which might be more appropriately made when they were before the committee. Before he sat down, however, he was anxious to press once more upon their attention, that in voting for the present establishment, parliament was in no manner pledged to an approval of similar establishments hereafter, unless, indeed, the hon. gentlemen opposite should be disposed to insist upon such a pledge, in the same way as had been attempted upon another question. They would unquestionably be at liberty, in the ensuing year, to reduce the estimates in any mode which might then seem expedient. He had given the utmost attention to the subject, and for the reasons which he had stated, he could not, consistently with his sense of duty, consent to any reduction. He should certainly be most anxious to conform to the feelings of the House and of the country, and if it were only a question of reducing 4 or 5,000 men, he should be disposed to run a small, though not an improvident risk, to accomplish that object. He was satisfied, however, that such a compliance as was required, would be injurious to the most important interests of the country, and therefore he hoped he should not be considered as presumptuously adhering to his own opinion against that of others, in supporting the vote then before the committee.

Mr. *Forbes*, amidst loud cries of question, succeeded in effecting a hearing. He said he had but one short observation to make, namely, that in a short time we might probably find to our cost, that we had too few soldiers in India, and too many missionaries.

The House then divided on an amendment proposed by Mr. Stuart Wortley, that from the proposed establishment of 99,000 men, there should be deducted 10,000. The numbers were:

For the Amendment - - - - 130
Against it - - - - - - - - 202
Majority against the Amendment —72

The original Resolution was then agreed to.

List of the Minority.

Abercromby, hon. J.
Althorp, viscount
Anson, hon. sir G.
Atherley, A.
Acland, sir T.
Ashurst, W. H.
Arkwright, R.
Baring, sir T.
Baring, Alex.
Bennet, hon. H.
Birch, Joseph
Brand, hon. T.
Burrell, hon. P. D.
Burrell, Walter
Babington, Thos.
Bankes, Henry
Beach, W. H.
Boughey, sir S. F.
Brougham, H.
Browne, Dom.
Byng, George
Collins, H. P.
Chaloner, Robt.
Calvert, C.
Calvert, N.
Coke, T.
Coke, E.
Caulfield, hon. H.
Campbell, hon. J.
Campbell, gen.
Cavendish, lord G.
Cavendish, hon. H.
Cavendish, hon. C.
Cocks, hon. J. S.
Cocks, James
Dundas, hon. L.
Dundas, Charles
Duncannon, visc.
Douglas, W.
Dugdale, D. S.
Elliot, rt. hon. W.
Ellison, C.
Ebrington, visc.
Fane, J.
Finlay, Kirkman
Fitzgerald, lord W.
Fazakerley, J. N.
Fergusson, sir R.
Fitzroy, lord J.
Frank, F.
Fellowes, W. H.
Foley, Thomas
Fremantle, Wm.
Fynes, Henry
Gordon, R.
Grenfell, Pascoe
Guise, sir W.
Grant, J. P.
Grosvenor, gen.
Hammersley, H.
Horne, Wm.
Hughes, W. L.
Hamilton, sir H. D.
Hornby, E.
Jervoise, S. S.
Knox, T.
Keck, G. A. L.
Lambton, J.
Lemon, sir W.
Lewis, Frankland
Lloyd, J. M.
Lloyd, sir E.
Leader, W.
Lockhart, J. I.
Lester, B. L.
Lyster, R.
Mundy, E. M.
Morland, S. B.
Macdonald, James
Markham, John
Madocks, Wm. A.
Martin, H.
Martin, John
Methuen, P.
Milton, visc.
Morpeth, lord
Monck, sir C.
Moore, P.
Mackintosh, sir J.
Newman, rt. hon. W.
North, Dudley
Neville, hon. R.
Nugent, lord
Osbaldeston, G.
Osborne, lord F.
Ossulston, lord
Peirse, H.
Piggott, sir A.
Philips, George
Ponsonby, rt. hon. G.
Ponsonby, hon. F. C.
Pym, Francis
Powlett, hon. W. V.
Preston, Richard
Prittie, hon. F. A.
Price, R.
Protheroe, E.
Pellew, hon. P. B.
Rancliffe, lord
Russell, lord G. W.
Ramsden, J. C.
Ridley, sir M.
Romilly, sir S.
Rowley, sir W.
Smith, John
Smith, Abel
Smith, Samuel
Smith, Wm.
Smyth, J. H.
Sebright, sir J.
Tremayne, J. H.
Tierney, rt. hon. G.
Wright, J. A.
Warre, J. A.
Western, C. C.
Wharton, John
Williams, sir R.
Wynn, sir W. W.
Wynn, C.
Waldegrave, hon. cap.
Wilberforce, W.
Wortley, S. A. S.

TELLER.
Calcraft, John

At three o'clock on Thursday morning the House adjourned.

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